

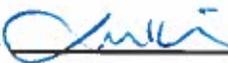
Regional Planning Commission Transmittal Checklist

Hearing Date
November 18, 2015
Agenda Item No.

7

Project Number: R2015-01506-(2)
Case(s): CUP No. 201500056
Planner: Travis Seawards

- Project Summary
- Property Location Map
- Staff Analysis
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions
- Burden of Proof Statement(s)
- Environmental Documentation (ND / MND / EIR)
- Previous Conditions
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use/Zoning Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans

Reviewed By: 



Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012

PROJECT NUMBER
 R2015-01506-(2)

HEARING DATE
 November 18, 2015

REQUESTED ENTITLEMENTS

Conditional Use Permit No. 201500056
 Environmental Assessment No. 201500100

PROJECT SUMMARY

OWNER / APPLICANT

Alpine Village, Inc.

MAP/EXHIBIT DATE

July 1, 2015

PROJECT OVERVIEW

The applicant, Alpine Village Inc., is requesting a Conditional Use Permit (CUP) to allow the continued on-site sale of beer and wine (Type 41) in a temporary tent facility for the annual Oktoberfest festival, and for the continued sale of alcohol at various locations in the Alpine Village complex, including the:

- Market (Café)
- Market Patio Area (Café)
- Banquet Hall
- Restaurant and Mezzanine Area.

Alpine has an existing license to sell alcohol at the market and restaurant. This application will legalize the expansion of the sale of alcohol into the market patio area, banquet hall, and restaurant mezzanine areas. The Oktoberfest festival occurs annually for a maximum of six weekends over the course of six consecutive weeks during the months of September and October. The festival occurs in a 32,350-square-foot temporary tent facility that is located in the parking lot for Alpine Village.

LOCATION

833 W. Torrance Blvd., West Carson

ACCESS

Torrance Blvd.

ASSESSORS PARCEL NUMBER(S)

7350001016, -018, -027, -029

SITE AREA

14.12 Acres

GENERAL PLAN / LOCAL PLAN

Los Angeles County General Plan

ZONED DISTRICT

Carson

LAND USE DESIGNATION

Light Industrial (LI)

ZONE

M 1.5 – Restricted Heavy Manufacturing Zone

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

N/A

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1 Categorical Exemption – Existing Facilities

KEY ISSUES

- Consistency with the Los Angeles County General Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
 - 22.56.195 (Alcoholic Beverage Sales Burden of Proof Requirements)
 - 22.32.140 (M 1.5 Zone Development Standards)
 - 22.56.560 (Outside Storage and Display)

CASE PLANNER:

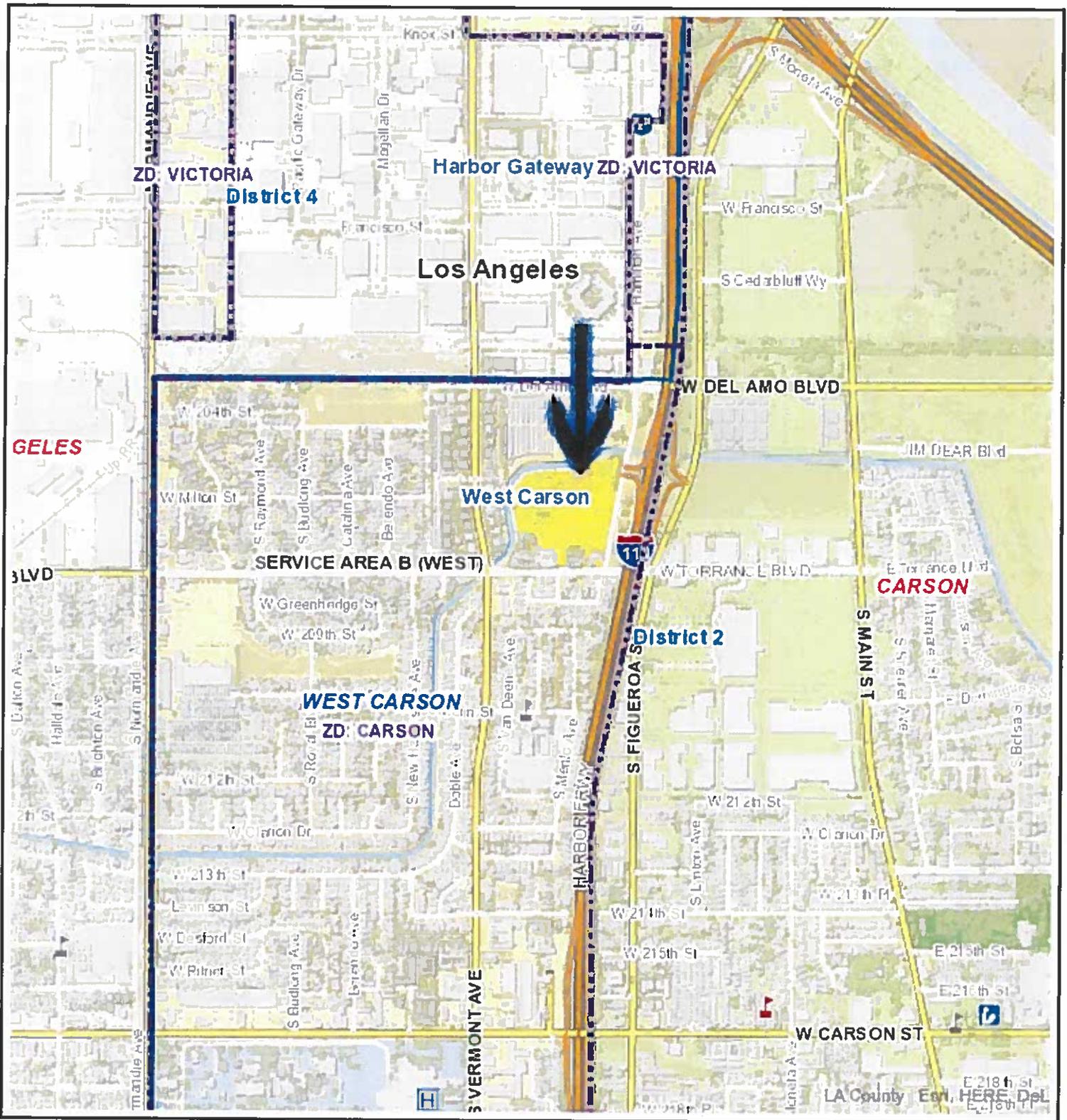
Travis Seawards

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Project R2015-01506-(2)

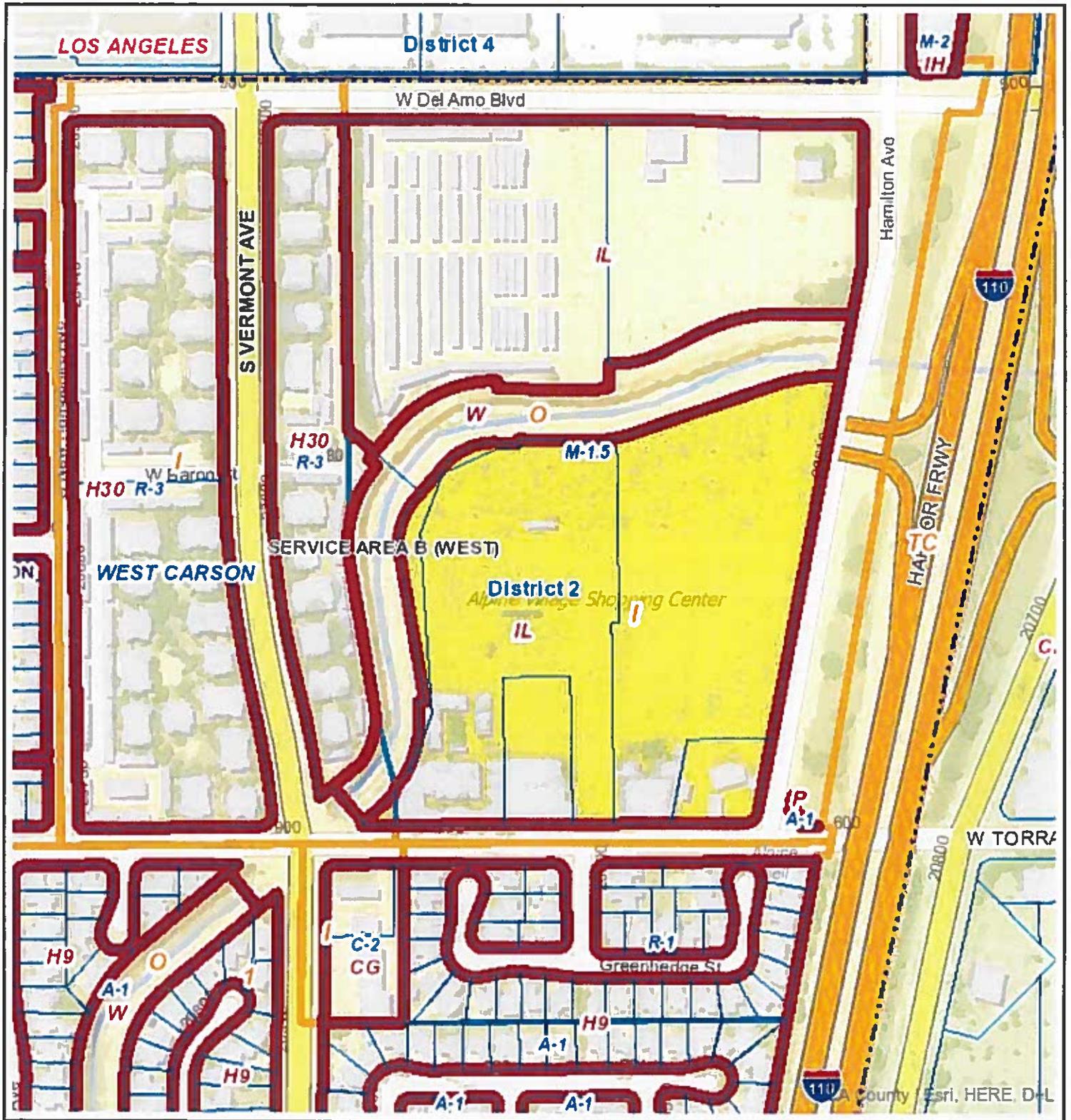
Location: Alpine Village

Printed: Nov 02, 2015



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Project R2015-01506-(2) GIS Layers: Alpine Village

Printed: Nov 02, 2015



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ENTITLEMENTS REQUESTED

- Conditional Use Permit (CUP) for the on-site and off-site sale of beer, wine and alcohol at various locations in the Alpine Village complex, and for the on-site sale of beer and wine during the annual Oktoberfest festival in the M 1.5 (Restricted Heavy Manufacturing) Zone, pursuant to County Code Section 22.32.130.

PROJECT DESCRIPTION

The applicant, Alpine Village Inc., is requesting a Conditional Use Permit (CUP) to authorize the continued on-site sale of beer and wine (Type 41) in a temporary tent facility for the annual Oktoberfest festival, and for the continued and expanded sale of alcohol at various locations in the Alpine Village complex, including the:

- Market (Café)
- Market Patio Area (Café)
- Banquet Hall
- Restaurant and Mezzanine Area.

Alpine has an existing license to sell alcohol at the market and restaurant. This application will legalize the expansion of the sale of alcohol into the market patio area, banquet hall, and restaurant mezzanine areas.

The Oktoberfest festival occurs annually for a maximum of (8) weekends over the course of eight (8) consecutive weeks during the months of September and October. The festival occurs in a 32,350-square-foot temporary tent facility that is located in the parking lot for Alpine Village. The alcohol license type and hours for alcohol sales at all locations are below:

Sale Area	ABC Type	Alcohol Sales
Temporary Tent (Oktoberfest)	Type 41 (On-Site, Beer & Wine)	Friday and Saturday, 5:00 pm – 11:30 pm Sunday, 1:00 pm – 6:00 pm
Market (Café)	Type 41 (On-Site, Beer & Wine)	Daily, 9:00 am – 10:00 pm
Market Patio Area (Café)	Type 41 (On-Site, Beer & Wine)	Daily, 9:00 am – 10:00 pm
Banquet Hall	Type 47 (On-Site, General)	Daily, 9:00 am – 2:00 am
Restaurant and Mezzanine Area	Type 47 (On-Site, General)	Daily, 9:00 am – 2:00 am

The maximum capacity of the temporary tent facility, as determined by the Department of Public Works, Building and Safety, is 2,157 persons. The tent is enclosed on all sides except for entry and exit points. Patrons enter the temporary tent facility through two entry points on the east end of the tent, and there are eight exit points located around the perimeter of the tent. The temporary tent facility area includes a 1,729 square-foot performance stage, located along the west side of the facility, approximately 112 tables, and two hot food service areas. There are six (6) points of sale (bars) for the sale of alcohol in the temporary tent. These six areas have associated beer cooler

trailers adjacent to point of sale, and the alcohol is stored in secure refrigerated containers in the tent area. All sales and consumption of alcohol for the Oktoberfest festival will be contained within the temporary tent facility.

The parking lot that serves the Alpine Village site contains 1,258 parking stalls, broken down as follows: 36 handicapped parking stalls, 732 standard parking stalls, and 490 compact parking stalls. There are eight (8) storage containers that are located in and around the temporary tent facility. These storage containers are used to hold equipment related to the Oktoberfest event, such as chairs, tables, and the performance stage. Several of the containers are also used as coolers and store beer for the festival.

EXISTING ZONING

The subject property is zoned M 1.5 (Restricted Heavy Manufacturing).

Surrounding properties are zoned as follows:

North: M 1.5, M-2 (Heavy Manufacturing) and the City of Los Angeles

South: C-2 (Neighborhood Business), R-1 (Single-Family Residence), and A-1 (Light Agricultural)

East: A-1 and the City of Carson

West: R-2 (Two-Family Residence) and R-3 (Unlimited Multiple Residence)

EXISTING LAND USES

The subject property is currently developed with a mix of retail uses, offices, a restaurant and bar, market, and a large parking lot that holds the annual Oktoberfest festival.

Surrounding properties are developed as follows:

North: Los Angeles County Flood Channel, public storage, truck sales and leasing, and multi-family residences

South: Gas station and auto repair, and single-family residences

East: Interstate 110 (Harbor Freeway) and the City of Carson, developed primarily with industrial uses and supporting commercial services

West: Los Angeles County Flood Channel and multi-family residences

PREVIOUS CASES/ZONING HISTORY

The relevant zoning history and permit approvals for the project site are as follows:

- September 8, 1966: Zoning Exception Case No. 8238-(2) approved the construction of a shopping center and sports stadium (soccer field) with appurtenant facilities.
- October 19, 1966: Revised Exhibit "A" No. 8238-(2) approved a temporary tent facility in association with a soccer field for picnics with a capacity of 250 people.
- June 4, 1981: Plot Plan No. 12896 approved the Alpine Village Shopping Center, which included retail stores and restaurants. Further revisions to this plot plan include:
 - February 21, 1984: Approved additional retail/office space and a beer garden as an accessory to the restaurant.

- April 27, 1984: Approved the operation of a swap meet on the subject property.
- May 23, 1985 and July 25, 1985: Continued the operation of a swap meet on the subject property.
- July 27, 1988: Approved the construction of a 2nd level to one of the existing structures on the site.
- May 7, 1990: Approved the continuation of a swap meet on the subject property.
- August 27, 1992: Approved the continuation of a swap meet on the subject property.
- April 20, 1994: Allowed the operation of Bingo on the subject property.
- July 1, 2002: Allowed the location of refrigerated units and dry storage containers for a restaurant on the subject property.
- October 26, 2005: Plot Plan No. 200501587 revised and approved the continuation of a swap meet operation on the subject property. This permit expires on December 31, 2020.
- June 3, 2008: Plot Plan No. 200800264 approved a temporary, prefabricated open covered patio structure public assembly beer garden of 32,350 square foot, to be used as an accessory to existing restaurants.
- July 26, 2010: Plot Plan No. 201000734 approved a temporary, prefabricated open covered patio structure public assembly beer garden of 32,350 square foot, to be used as an accessory to existing restaurants.
- August 11, 2011: Plot Plan No. 201100669 approved a temporary, prefabricated open covered patio structure public assembly beer garden of 32,350 square foot, to be used as an accessory to existing restaurants.
- August 11, 2012: Plot Plan No. 201200464 approved a temporary, prefabricated open covered patio structure public assembly beer garden of 32,350 square foot, to be used as an accessory to existing restaurants.
- August 28, 2013: CUP No. 201300090 approved the annual Oktoberfest event to be held in a temporary tent facility for a three-year grant term.
- September 4, 2014: Plot Plan No. 201400888 approved the plot plan for the annual Oktoberfest event in a temporary tent facility.
- September 2, 2015: Plot Plan No. 201500601 approved the plot plan for the annual Oktoberfest event in a temporary tent facility.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities, under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The project is a request to allow the on-site sale of beer and wine (Type 41) in an existing temporary tent facility for an annual Oktoberfest festival that has occurred annually for over 30 years, and for the expanded sale of alcohol at an existing market café and restaurant, in an area with no sensitive habitat. Therefore, staff recommends that the Regional Planning Commission determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The subject property is designated Light Industrial (LI) by the Los Angeles County General Plan (effective November 5, 2015). Areas designated as LI are generally intended for light industrial uses, including light manufacturing, assembly, warehousing and distribution.

The Alpine Village complex was established in 1966. Under the 1980 General Plan, non-industrial uses were allowed in industrial areas that had limited potential for industrial development. Since Alpine Village was first constructed in the late 1960's, the development trend in the surrounding area has been toward commercial and residential uses. Alpine Village is adjacent to a single-family neighborhood to the south, and dense multi-family residential development to the west. The presence of residential uses limits the amount and type of industrial development that can occur in the area, and therefore Alpine Village was deemed consistent with the 1980 General Plan Industrial land use designation. Similarly, the newly adopted General Plan states that "land uses are not limited to the general intended uses listed under each designation; other uses that are allowed through zoning may be deemed compatible with the general intended uses". The project site is zoned M 1.5 (Restricted Heavy Manufacturing), and alcoholic beverages sales is a permitted use with a CUP in the M 1.5 Zone. Therefore, the Alpine Village complex and the sale of alcohol at designated venues within the complex is deemed consistent with the 2015 General Plan.

Zoning Ordinance and Development Standards Compliance

The Department of Regional Planning has approved multiple conditional use permit and plot plan approvals for Alpine Village and the Oktoberfest event, as outlined in the zoning and case history section above. The project site and the Oktoberfest event have been deemed consistent with all of the development standards for the M 1.5 Zone. There is also no new construction proposed with this application, which is a request to allow the continued on-site sale of beer and wine (Type 41) in a temporary tent facility for the annual Oktoberfest festival, and for the continued sale of alcohol at various locations in the Alpine Village complex.

Burdens of Proof

The applicant is required to substantiate all facts identified by Section(s) 22.56.090 (Conditional Use Permit Application, Grant or Denial, Findings and Decision at Public Hearing) and 22.56.195 (Alcoholic Beverage Sale, for Either On-Site or Off-Site Consumption) of the County Code.

Conditional Use Burden of Proof

As required by Section 22.56.040 (Conditional Use Permit Burden of Proof) of the Los Angeles County Code, in addition to the information required in the permit application, the applicant shall substantiate to the satisfaction of Commission, the following facts:

- A. That the proposed use will be consistent with the adopted general plan for the area; and

- B. That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required; and

Alpine Village was approved and constructed in the late 1960's and has grown into a regional destination for shopping and entertainment uses. Under the 1980 General Plan, non-industrial uses were allowed in industrial areas that had limited potential for industrial development. Since Alpine Village was first constructed in the late 1960's, the development trend in the surrounding area has been toward commercial and residential uses. Alpine Village is adjacent to a single-family neighborhood to the south, and dense multi-family residential development to the west. The presence of residential uses limits the amount and type of industrial development that can occur in the area, and therefore Alpine Village was deemed consistent with the 1980 General Plan Industrial land use designation. Similarly, the newly adopted General Plan states that "land uses are not limited to the general intended uses listed under each designation; other uses that are allowed through zoning may be deemed compatible with the general intended uses". The project site is zoned M 1.5 (Restricted Heavy Manufacturing), and alcoholic beverages sales is a permitted use with a CUP in the M 1.5 Zone. Therefore, the Alpine Village complex and the sale of alcohol at designated venues within the complex is deemed consistent with the 2015 General Plan. The project site is also compliant with all of the development standards for the M 1.5 Zone and involves no new construction. Therefore, the project is adequately served by existing infrastructure and utility systems.

The sale of alcohol at the Oktoberfest event has been the source of public complaints including noise, public rowdiness, traffic, and parking spillover into adjacent residential neighborhoods. The Carson Station Sheriff's Department has stated that the event results in increased crime activity in the area and can be a strain on their resources. In 2013, several site-specific Conditions of Approval were added to the CUP approval to mitigate the adverse effects the sale of alcohol at the Oktoberfest event has had on the surrounding area. At the request of the Sheriff's Department, a security plan and additional security personnel are required to be on site during the event. Parking and traffic management personnel are required to prevent traffic jams, unwanted parking, and rowdiness in adjacent residential neighborhoods. The duration of the event was

scaled back to eight weeks, and the hours for alcohol sales were also scaled back so that sales end at 11:30 pm.

The number of violent incidents and public complaints pertaining to Oktoberfest has significantly lessened since the 2013 CUP approval. All of the previous conditions of approval for alcohol sales at the event, security, and parking management are being carried over to this CUP. By the end of each event, Alpine was eventually able to comply with almost all conditions of approval with the exception of noise. Annual monitoring of noise levels at the Oktoberfest event has demonstrated that Alpine Village has not complied with the County's noise ordinance standards. The Department of Public Health's annual monitoring reports demonstrate that noise levels from the Oktoberfest event significantly exceeds allowable noise levels, and Notice of Violations were issued by the Health Department in 2014 and 2015.

To address noise, the Department of Public Health will require that Alpine Village submit a Noise Mitigation Monitoring Plan at least three months prior to the commencement of the Oktoberfest festival. In addition, the applicant will be required to enter into a Memorandum of Understanding (MOU) with Public Health that will outline the terms and conditions for non-compliance with the County Noise Ordinance.

With strict adherence to the project's Conditions of Approval, including new conditions specifically mitigating noise, the Department of Regional Planning believes that the project can meet the CUP Burden of Proof and that the project will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

Alcoholic Beverages Permit Burden of Proof

As required by Section 22.56.195 (Findings for Alcoholic Beverages Sales) of the Los Angeles County Code, in addition to the findings required pursuant to subsection A of Section 22.56.090 (CUP Findings), the applicant must also substantiate to the Commission the following facts:

- A. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius; and
- B. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area; and
- C. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is

located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment; and

- D. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and
- E. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

There is one sensitive use, a church, located approximately 600 feet west of the project site. However, the church is adequately buffered from the project site as it is located across the 110 Harbor Freeway. There are residences to the south and west of the project site, and the Oktoberfest event in particular has impacted these neighborhoods. Overflow parking for the event has resulted in parking on adjacent residential streets with subsequent complaints of loitering, drunken rowdiness and vandalism. In addition, the event has caused neighbors to complain about the noise levels from music at the event. With the 2013 CUP approval, many strict conditions were placed on the event, and the results over the past three years have been mostly positive. The hours for the sale of alcohol were cut back, and additional security and parking personnel assisted in keeping the event safe. In addition, Regional Planning enforcement staff and the County Sheriff's Department have put in significant hours to ensure compliance and safety at the event. All previous conditions of approval are being carried over to this project.

Noise continues to be one issue where Alpine has struggled to comply with County requirements, despite the inclusion of sound curtains around the tent. The County Department of Public Health conducted noise monitoring the last three years, and the Oktoberfest event exceeded County noise standards. The Department of Public Health will require that Alpine Village submit a Noise Mitigation Monitoring Plan prior to the commencement of the Oktoberfest festival. In addition, the applicant will be required to enter into a Memorandum of Understanding (MOU) with Public Health that will outline the terms and conditions for non-compliance with the County Noise Ordinance. With strict adherence to the project's Conditions of Approval, the Department of Regional Planning believes that the Alcoholic Beverages Burden of Proof can be met and the project will not have an adverse impact on the surrounding area or adversely affect the economic welfare of the neighborhood.

ABC data illustrates that the site is within an area that does not have an undue concentration of the on-site sale of alcohol per the licenses allowed by the state in a given census tract. The subject site is within Census Tract 5435.02. Four ABC licenses are allowed within this census tract, and only three ABC licenses currently exist.

However, there is an overconcentration of establishments that sell alcohol in the area per the County's Zoning Code. Currently, there are three establishments within 500-feet

of the project site that have a license to sell alcohol. Two establishments are gas stations with a Type 20 for the off-site sale of beer and wine, and the other is a liquor store with a Type 21 for the off-site general sale of alcohol. Per County zoning standards, the location of other uses that sell alcohol within 500 feet of the proposed project results in an overconcentration of alcohol permits in the area, and thus requires a finding of public convenience and necessity. Alpine has an existing license to sell alcohol at the market and restaurant. This application is a request to legalize the expansion of the sale of alcohol into the market patio area, banquet hall, and restaurant mezzanine areas. The Oktoberfest event at Alpine Village is a festival based on the German Oktoberfest festival that is an annual celebration of beer. Alpine Village is a regional destination due to the culturally-specific dining, shopping and entertainment events at the site, and therefore the sale of alcohol at these locations provides a public convenience and necessity.

Staff is of the opinion that the applicant has met the required Burden of Proof for the conditional use permit and for alcoholic beverage sales. The applicant's Burden of Proof statements are attached to this report.

Neighborhood Impact/Land Use Compatibility

Alpine Village has been operating at the subject property since 1966. The previous use on the site was a landfill. Alpine Village has grown over the years and now contains a restaurant, bar, market, retail stores, and is home to weekly events including a swap meet, bingo, concerts at the restaurant, and is home to the annual Oktoberfest festival.

In particular, the Oktoberfest event has adversely impacted the surrounding community and the County's service resources. The County has received complaints related to noise, traffic, and overflow parking and drunken behavior in adjacent residential neighborhoods. The County Sheriff's Department has stated that the site and the annual Oktoberfest event strain their resources and that they see a significant spike in criminal activity, including serious offenses, during the Oktoberfest festival. Since the 2013 CUP approval, many significant improvements were made and there has been a sharp decrease in the number of incidents at the site, as well as a decrease in complaints from the public. In large part, the conditions for the 2013 CUP approval contributed to these improvements and lessened impacts to the neighborhood. All of these strict conditions of approval are applied to this application request as well.

Alpine has not been able to comply with County noise standards during the Oktoberfest event the last three years. As a result, staff has worked with the Department of Public Health on an updated condition related to noise mitigation. To address noise, the Department of Public Health will require that Alpine Village submit a Noise Mitigation Monitoring Plan at least three months prior to the commencement of the Oktoberfest festival. In addition, the applicant will be required to enter into a Memorandum of Understanding (MOU) with Public Health that will outline the terms and conditions for non-compliance with the County Noise Ordinance.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

The project was sent out for consult to the County Departments of Public Health and Public Works, the Los Angeles County Fire Department, and the Los Angeles County Sheriff's Department. The following is a summary of the responses, which are attached in full to the Conditions of Approval:

- **Public Works:** The project driveway located along Torrance Boulevard shall be restricted to left-turn egress only via guidance provided by way-finding signage and parking attendants during Oktoberfest. In addition, if residents continue to express concerns that the project's on-site parking is spilling over onto the neighboring residential streets, the project shall be solely responsible for the costs to establish a preferential parking district to the satisfaction of Public Works and the residents.
- **Public Health:** Public Health is requiring that Alpine Village install a gas detection alarm system inside the tent as required by the Solid Waste Program. Public Health also requires that the applicant comply with the County Noise Ordinance and will require the applicant to submit an annual Noise Mitigation Plan, as well as require the applicant to enter into an MOU, with terms and conditions for non-compliance.
- **Fire:** On an annual basis, Fire is requiring that Alpine Village submit for review architectural plans of the temporary tent facility that will hold the Oktoberfest event.
- **Sheriff:** The Sheriff's Department commented that overall, conditions at the Oktoberfest event have improved. As with the previous permit approval, the Sheriff's Department is requiring that the applicant get an approved security plan from the Sheriff, which may include the hiring of off-duty sheriffs for security during the event.

OTHER AGENCY COMMENTS AND RECOMMENDATIONS

The project was sent out for consult to the California Department of Alcoholic Beverage Control (ABC). The following is a summary of ABC license conditions they provided. These conditions have been included in the Department of Regional Planning's Conditions of Approval.

ABC Conditions general to the normal operation of an on-sale establishment with beer and wine:

- a) Entertainment provided shall not be audible beyond the area under the control of the licensee(s).
- b) No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee(s).

ABC conditions specific to Oktoberfest:

- c) The licensee(s) shall provide uniformed security guard(s) from ½ hour before opening, to ½ hour after closing.
- d) No more than two (2) alcoholic beverages may be purchased by any one (1) person at any one (1) time.
- e) All persons serving alcoholic beverages cannot consume any alcoholic beverages.
- f) Cup size for beer shall not exceed 16 ounces. Cup size for wine shall not exceed 8 ounces.
- g) The petitioner shall not sell alcoholic beverages in glass or metal containers.
- h) The licensee(s) shall cease sales and service of alcoholic beverages one hour prior to the close of business.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PUBLIC COMMENTS

Staff has received one phone call in opposition to the project due to high noise levels from a neighbor who lives adjacent to the project site.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Regional Planning Commission.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number R2015-01506-(2), Conditional Use Permit Number 201500056, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

I MOVE THAT THE REGIONAL PLANNING COMMISSION APPROVE CONDITIONAL USE PERMIT NO. 201500056 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

PROJECT NO. R2015-01506-(2)
CONDITIONAL USE PERMIT NO. 201500056

STAFF ANALYSIS
PAGE 11 OF 11

Prepared by Travis Seawards, Regional Planning Asst. II, Zoning Permits West Section
Reviewed by Mi Kim, Supervising Regional Planner, Zoning Permits West Section

Attachments:

Draft Findings
Draft Conditions of Approval
Applicant's Burden of Proof statements
Correspondence
Site Photographs
Site Plan

MKK:TSS
10/26/15

**DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2015-01506-(2)
CONDITIONAL USE PERMIT NO. 201500056**

1. The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing on November 18, 2015, in the matter of Project No. R2015-01506-(2), consisting of Conditional Use Permit No. 201500056 ("CUP").
2. The permittee, Alpine Village Inc. ("permittee"), requests the CUP to authorize the on-site sale of beer, wine, and alcohol at various locations in the Alpine Village complex, and for the on-site sale of beer and wine during the annual Oktoberfest festival ("Project") on a property located at 833 W. Torrance Blvd. in the unincorporated community of West Carson ("Project Site") in the M 1.5 (Restricted Heavy Manufacturing Zone) pursuant to Los Angeles County Code ("County Code") Section 22.32.130.
3. The Project Site is 14.12 gross acres in size and consists of four legal lots. The Project Site is irregular in shape with flat topography and is developed with the Alpine Village shopping and entertainment complex.
4. The Project Site is located in the Carson Zoned District and is currently zoned M 1.5 (Restricted Heavy Manufacturing Zone).
5. The Project Site is located within the Light Industrial (LI) land use category of the Los Angeles County General Plan (2015) Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:
 - North: M 1.5, M-2 (Heavy Manufacturing), and the City of Los Angeles
 - South: C-2 (Neighborhood Business), R-1 (Single-Family Residence), and A-1 (Light Agricultural)
 - East: A-1 and the City of Carson
 - West: R-2 (Two-Family Residence) and R-3 (Unlimited Multiple Family Residence)
7. Surrounding land uses within a 500-foot radius include:
 - North: Los Angeles County Flood Channel, public storage, truck sales and leasing, and multi-family residences
 - South: Gas station, auto repair, and single-family residences
 - East: Interstate 110 (Harbor Freeway) and the City of Carson, developed primarily with industrial uses and supporting commercial services
 - West: Los Angeles County Flood Channel and multi-family residences

8. The relevant zoning history and permit approvals for the project site are as follows:

- September 8, 1966: Zoning Exception Case No. 8238-(2) approved the construction of a shopping center and sports stadium (soccer field) with appurtenant facilities.
 - October 19, 1966: Revised Exhibit "A" No. 8238-(2) approved a temporary tent facility in association with a soccer field for picnics with a capacity of 250 people.
- June 4, 1981: Plot Plan No. 12896 approved the Alpine Village Shopping Center, which included retail stores and restaurants. Further revisions to this plot plan include:
 - February 21, 1984: Approved additional retail/office space and a beer garden as an accessory to the restaurant.
 - April 27, 1984: Approved the operation of a swap meet on the subject property.
 - May 23, 1985 and July 25, 1985: Continued the operation of a swap meet on the subject property.
 - July 27, 1988: Approved the construction of a 2nd level to one of the existing structures on the site.
 - May 7, 1990: Approved the continuation of a swap meet on the subject property.
 - August 27, 1992: Approved the continuation of a swap meet on the subject property.
 - April 20, 1994: Allowed the operation of Bingo on the subject property.
 - July 1, 2002: Allowed the location of refrigerated units and dry storage containers for a restaurant on the subject property.
- October 26, 2005: Plot Plan No. 200501587 revised and approved the continuation of a swap meet operation on the subject property. This permit expires on December 31, 2020.
- June 3, 2008: Plot Plan No. 200800264 approved a temporary, prefabricated open covered patio structure public assembly beer garden of 32,350 square foot, to be used as an accessory to existing restaurants.
- July 26, 2010: Plot Plan No. 201000734 approved a temporary, prefabricated open covered patio structure public assembly beer garden of 32,350 square foot, to be used as an accessory to existing restaurants.
- August 11, 2011: Plot Plan No. 201100669 approved a temporary, prefabricated open covered patio structure public assembly beer garden of 32,350 square foot, to be used as an accessory to existing restaurants.
- August 11, 2012: Plot Plan No. 201200464 approved a temporary, prefabricated open covered patio structure public assembly beer garden of 32,350 square foot, to be used as an accessory to existing restaurants.
- August 28, 2013: CUP No. 201300090 approved the annual Oktoberfest event to be held in a temporary tent facility for a three-year grant term.
- September 4, 2014: Plot Plan No. 201400888 approved the plot plan for the annual Oktoberfest event in a temporary tent facility.
- September 2, 2015: Plot Plan No. 201500601 approved the plot plan for the annual Oktoberfest event in a temporary tent facility.

9. The site plan for the Project depicts the Project site, which is 14.12 acres and is developed with the Alpine Village shopping and entertainment complex. The Alpine Village complex consists of a market, restaurant, bar, and retail and professional services. These uses are accessed through an entrance on Torrance Boulevard and are clustered along south end of the project site. During the annual Oktoberfest festival, a 32,350-square-foot temporary tent is erected along the western portion of the project site. The rest of the site is developed with a parking lot that contains 1,258 parking spaces.
10. The Project Site is accessible via Torrance Boulevard to the north. Primary access to the Project Site will be via an entrance/exit on Torrance Boulevard.
11. The Project provides a total of 1,258 parking spaces, broken down as follows: 36 handicapped parking stalls, 732 standard parking stalls, and 490 compact parking stalls.
12. The project was sent out for consult to the County Departments of Public Health and Public Works, the Los Angeles County Fire Department, and the Los Angeles County Sheriff's Department, all of which cleared the project for approval with their attached conditions. The Department of Public Works required that the project driveway located along Torrance Boulevard shall be restricted to left-turn egress only via guidance provided by way-finding signage and parking attendants. In addition, if residents continue to express concerns that the project's on-site parking is spilling over onto the neighboring residential streets, the project shall be solely responsible for the costs to establish a preferential parking district to the satisfaction of Public Works and the residents. The Department of Public Health is requiring that Alpine Village install a gas detection alarm system inside the tent as required by the Solid Waste Program. Public Health also requires that the applicant comply with the County Noise Ordinance and will require the applicant to submit an annual Noise Mitigation Plan, as well as require the applicant to enter into an MOU, with terms and conditions for non-compliance. The Fire Department is requiring that Alpine Village submit an annual plot plan in order to review architectural plans of the temporary tent facility that will hold the Oktoberfest event. The Sheriff's Department is requiring that the applicant get an approved security plan from the Sheriff, which may include the hiring of off-duty sheriff's for security during the event.
13. Prior to the Commission's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 1, Existing Facilities categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the project is a request to allow the on-site sale of beer and wine (Type 41) in an existing temporary tent facility for an annual Oktoberfest festival that has occurred annually for over 30 years, and for the expanded sale of alcohol at an existing market café and restaurant, in an area with no sensitive habitat.

14. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
15. Prior to the Commission's public hearing, the Department of Regional Planning ("Regional Planning") staff received one phone call in opposition to the Project due to ongoing noise and traffic concerns. No other correspondence was received from the public regarding the Project.
16. The Commission finds that the Project is consistent with the Los Angeles County General Plan. Alpine Village was approved and constructed in the late 1960's and has grown into a regional destination for shopping and entertainment uses. Under the 1980 General Plan, non-industrial uses were allowed in industrial areas that had limited potential for industrial development. Since Alpine Village was first constructed in the late 1960's, the development trend in the surrounding area has been toward commercial and residential uses. Alpine Village is adjacent to a single-family neighborhood to the south, and dense multi-family residential development to the west. The presence of residential uses limits the amount and type of industrial development that can occur in the area, and therefore Alpine Village was deemed consistent with the 1980 General Plan Industrial land use designation. Similarly, the newly adopted General Plan states that "land uses are not limited to the general intended uses listed under each designation; other uses that are allowed through zoning may be deemed compatible with the general intended uses". The project site is zoned M 1.5 (Restricted Heavy Manufacturing), and alcoholic beverages sales is a permitted use with a CUP in the M 1.5 Zone. Therefore, the Alpine Village complex and the sale of alcohol at designated venues within the complex is deemed consistent with the 2015 General Plan.
17. The Commission finds that the Project is consistent with the development standards for the M 1.5 Zone. The Department of Regional Planning has approved multiple conditional use permit and plot plan approvals for Alpine Village and the Oktoberfest event. The project site and the Oktoberfest event have been deemed consistent with all of the development standards for the M 1.5 Zone. There is also no new construction proposed with this application, which is a request to allow the continued on-site sale of beer and wine (Type 41) in a temporary tent facility for the annual Oktoberfest festival, and for the continued sale of alcohol at various locations in the Alpine Village complex.
18. The Commission finds that the Project, with an extensive set of conditions to mitigate safety, traffic, parking, and noise impacts, will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare. The sale of alcohol at the Oktoberfest event has been the source of public complaints including noise, public rowdiness, traffic, and parking spillover into adjacent residential neighborhoods. In 2013, several site-specific Conditions of Approval were added to the CUP approval to mitigate the adverse effects the sale of alcohol at the

Oktoberfest event has had on the surrounding area. At the request of the Sheriff's Department, a security plan and additional security personnel are required to be on site during the event. Parking and traffic management personnel are required to prevent traffic jams, unwanted parking, and rowdiness in adjacent residential neighborhoods. The duration of the event was scaled back to eight weeks, and the hours for alcohol sales were also scaled back so that sales end at 11:30 pm. The number of violent incidents and public complaints pertaining to Oktoberfest has significantly lessened since the 2013 CUP approval, except for noise. All of the previous conditions of approval for alcohol sales at the event, security, and parking management are being carried over to this CUP. In addition, to address noise issues, the Department of Public Health will require that Alpine Village submit a Noise Mitigation Monitoring Plan at least three months prior to the commencement of the Oktoberfest festival. In addition, the applicant will be required to enter into a Memorandum of Understanding (MOU) with Public Health that will outline the terms and conditions for non-compliance with the County Noise Ordinance.

19. The Commission finds that the Project does not involve new construction and will not result in any significant intensification of the existing uses at the Alpine Village complex with the sale of alcohol, and therefore the Project is adequately served by existing public infrastructure and services.
20. The Commission finds that there is one sensitive use, a church, within 600 feet of the project site, but that the use is sufficiently buffered from the Project as it is located across the 110 Harbor Freeway.
21. The Commission finds that the Project at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area. There are residences to the south and west of the project site, and the Oktoberfest event in particular has impacted these neighborhoods. Overflow parking for the event has resulted in parking on adjacent residential streets with subsequent complaints of loitering, drunken rowdiness and vandalism. In addition, the event has caused neighbors to complain about the noise levels from music at the event. However, with the 2013 CUP approval, many strict conditions were placed on the event, and the results over the past three years have been mostly positive. The hours for the sale of alcohol were cut back, and additional security and parking personnel assisted in keeping the event safe. In addition, Regional Planning enforcement staff and the County Sheriff's Department have put in significant hours to ensure compliance and safety at the event, and all previous conditions of approval are being carried over to this project.
22. The Commission finds that there is an overconcentration of establishments that sell alcohol within 500 feet of the Project site, and that the sale of alcohol at the Alpine Village complex provides a public convenience and necessity. ABC data illustrates that the site is within an area that does not have an undue concentration of the on-site sale of alcohol. The subject site is within Census Tract 5435.02. Four ABC licenses are allowed within this census tract, and only three ABC licenses currently exist. However, there is an overconcentration of establishments that sell alcohol in the area. Currently, there are three establishments within 500-feet of the project site

that have a license to sell alcohol. Two establishments are gas stations with a Type 20 for the off-site sale of beer and wine, and the other is a liquor store with a Type 21 for the off-site general sale of alcohol. Alpine has an existing license to sell alcohol at the market and restaurant. This application is a request to legalize the expansion of the sale of alcohol into the market patio area, banquet hall, and restaurant mezzanine areas. The Oktoberfest event at Alpine Village is a festival based on the German Oktoberfest festival that is an annual celebration of beer. Alpine Village is a regional destination due to the culturally-specific dining, shopping and entertainment events at the site, and therefore the sale of alcohol at these locations provides a public convenience and necessity.

23. The Commission finds that the requested use at the proposed location will not adversely affect the economic welfare of the nearby community, and that the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood. The Alpine Village complex is a regional destination due to the culturally-specific dining, shopping and entertainment events at the site. Alpine has been located at this site since the late 1960's and provides important local services to the larger surrounding community and the Project site is relatively well-maintained in relation to surrounding properties.
24. The Commission finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the Conditional Use Permit as follows:
- Five (5) year grant term for the annual Oktoberfest event.
 - Fifteen (15) year grant term for the sale of alcohol at Alpine Village locations outside of the temporary tent facility for Oktoberfest.
25. The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the West Carson community. On October 5, 2015, a total of 380 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as two (2) notices to those on the courtesy mailing list for the Carson Zoned District and to any additional interested parties.
26. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West Section, Department of Regional Planning.

**BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION
CONCLUDES THAT:**

"Regarding the Conditional Use Permit (CUP)"

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

"Regarding the Conditional Use Permit for the Sale of Alcohol"

- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius.
- F. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area
- G. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment.
- H. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.
- I. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction

within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to Section 15301 of the State CEQA Guidelines (Class 1, Existing Facilities categorical exemption); and
2. Approves Conditional Use Permit No. 201500056, subject to the attached conditions.

ACTION DATE: November 18, 2015

MKK:TSS
10/28/15

c: Each Commissioner, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2015-01506-(2)
CONDITIONAL USE PERMIT NO. 201500056**

PROJECT DESCRIPTION

The project is a request for a conditional use permit (CUP) to authorize the continued on-site sale of beer and wine in a temporary tent facility for the annual Oktoberfest festival, and for the continued and expanded sale of alcohol at the following locations at Alpine Village, subject to the following conditions of approval:

- Market (Café)
- Market Patio Area (Café)
- Banquet Hall
- Restaurant and Mezzanine Area.

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **The CUP grant for the Oktoberfest festival shall terminate on November 18, 2020. The CUP grant for the sale of alcoholic beverages at the Alpine Village complex shall terminate on November 18, 2030.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For

the purposes of this provision, continued operation of the sale of alcohol and the annual Oktoberfest events and satisfaction of Condition No. 2 shall be considered use of this grant.

10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file.

The permittee shall deposit with the County the sum of **\$7,000.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval.

The fund provides for:

- **Fifteen (15) annual** inspections for the CUP for the sale of alcoholic beverages at the Alpine Village complex.
- **Twenty (20) inspections**, four per each Oktoberfest festival for five years.

Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.

14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **January 18, 2016**.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT (SALE OF ALCOHOLIC BEVERAGES)

19. The conditions of this grant shall be retained on the premises at all times and shall be immediately produced upon request of any County Sheriff, Zoning Inspector or Department of Alcoholic Beverage Control agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein.
20. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property including windows, walls, fences or similar structures in which the advertisement is visible from outside the property site.

- 21. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.
- 22. All servers of alcoholic beverages must be at least 21 years of age.
- 23. No sale of alcoholic beverages shall be made from a drive-in window.
- 24. No display of alcoholic beverages shall be made from an ice tub.
- 25. All parking lot and other exterior lighting shall be hooded and directed away from neighboring residences to prevent direct illumination, glare, and light trespass, and shall be turned off within thirty minutes after conclusion of activities, with the exception of sensor-activated security lights and/or low level lighting along all pedestrian walkways leading to and from the parking lot. The permittee shall provide adequate lighting above all entrances and exits to the premises and shall provide adequate lighting in all parking areas and walkways under the control of the permittee.

PROJECT SITE SPECIFIC CONDITIONS

- 26. This grant authorizes the sale of alcoholic beverages during the Oktoberfest event, which is held annually on the site. The sale of alcoholic beverages authorized by this grant is limited to one consecutive eight-week period commencing in September and ending in October, and is further limited during that eight-week period to the hours of 5:00 p.m. to 11:30 p.m. Friday and Saturday, and 1:00 p.m. to 6:00 p.m. on Sunday. On Friday and Saturday evening, the sale of alcohol shall end at 11:30 p.m. and the event shall be closed by 12:00 a.m. (midnight). The sale of alcoholic beverages pursuant to this grant must take place during the Oktoberfest event.
- 27. This grant authorizes the sale of alcoholic beverages at the following locations in the Alpine Village complex, with the following operating hours:

Sale Area	ABC Type	Alcohol Sales
Market (Café)	Type 41 (On-Site, Beer & Wine)	Daily, 9:00 am – 10:00 pm
Market Patio Area (Café)	Type 41 (On-Site, Beer & Wine)	Daily, 9:00 am – 10:00 pm
Banquet Hall	Type 47 (On-Site, General)	Daily, 9:00 am – 2:00 am
Restaurant and Mezzanine Area	Type 47 (On-Site, General)	Daily, 9:00 am – 2:00 am

- 28. The permittee shall submit an annual site plan for the Oktoberfest temporary tent for Regional Planning approval.

29. There shall be no sale or consumption of alcoholic beverages outside the designated areas of the tent facility during Oktoberfest. The permittee shall be responsible for enforcing this restriction, and shall instruct all designated employees, who are serving or selling alcoholic beverages regarding this restriction. The permittee shall instruct all such employees to enforce such restrictions, monitor all exits from the facility, and call the County Sheriff's Department (Sheriff) as necessary to enforce the restriction.
30. The permittee shall not advertise or hold any "happy hour" drink specials, "two for one" drink specials, or any other promotions that offer discounted alcoholic beverages at the Oktoberfest festival.
31. The permittee shall post or otherwise provide telephone numbers of local law enforcement agencies and taxicab companies at or near the cashier, and near the entry and exit areas of the permanent tent facility. Such telephone numbers shall be visible by and available to the general public.
32. The permittee shall ensure that noise levels from the Oktoberfest event shall not exceed acceptable noise levels for surrounding properties as determined by the County Department of Public Health (Public Health). All noise mitigation must be completed to the satisfaction of the Department of Public Health. The permittee shall enter into a appropriate Memorandum of Understanding (MOU) to the satisfaction of Public Health that will provide terms and conditions for the adherence to County noise standards. Any changes to the approved Exhibit "A" for noise attenuation will require the permittee to apply for the appropriate permits.
33. The permittee must provide complimentary food items, such as pretzels or other similar snacks, for patrons consuming alcohol during the Oktoberfest event. Such complimentary food items must be easily accessible to patrons and continuously available while alcoholic beverages are being sold or consumed.
34. Food service shall be continuously provided during operating hours of the Oktoberfest event, which are 5:00 p.m. to 12:00 a.m. (midnight) on Fridays and Saturdays, and from 1:00 p.m. to 6:00 p.m. on Sundays
35. The permittee shall develop and implement a Designated Driver program, which shall include, at a minimum, complimentary soft drinks and coffee for designated drivers. The permittee shall submit the program to the Director of Planning for approval prior to the approval of the Exhibit "A". A printed two-sided card describing the program must be available in areas in which alcoholic beverages are being sold or consumed.
36. The permittee shall provide continuous security during all times the Oktoberfest event is open to the public and/or patrons of the Oktoberfest event are on site. The permittee shall be responsible for requiring all security personnel to prevent violations of the law, enforce compliance by patrons with the requirements of this grant, and notify the Sheriff of any violations of law observed. Security personnel

must be uniformed in such a manner so as to be readily identifiable as security as required by applicable provisions of State or local law. Prior to each Oktoberfest event, the permittee must obtain approval from the Sheriff of a security plan, which shall describe at a minimum the number and type of security personnel to be employed on site, to the satisfaction of the Sheriff's Department. The permittee shall provide a copy of the Sheriff approved security plan to Regional Planning.

37. Prior to each Oktoberfest event, the permittee shall enter into an agreement with the Sheriff to provide supplemental law enforcement services for each Oktoberfest event. The permittee shall agree to that number of law enforcement personnel which the Sheriff may require, in the Sheriff's reasonable discretion. The permittee may be required, at the option of the Sheriff, to deposit all monies due under the agreement prior to each Oktoberfest event.
38. Traffic and parking spillover into adjacent neighborhoods is prohibited. The permittee is responsible for ensuring that there is no parking spillover from the Oktoberfest event. The permittee shall employ the use of parking attendants as necessary to supervise traffic and parking, and will obtain any necessary permit approvals from the appropriate agencies for any street closures or any other street/traffic flow arrangements.
39. The project site is required to provide parking as shown on the approved Exhibit "A". Uses on the site shall close during the Oktoberfest event so that the required parking for all concurrent uses on the site does not exceed the parking provide on-site. To meet parking requirements for the 2013 Oktoberfest event, the following uses will be closed during the Oktoberfest event: For Friday and Saturday, all retail stores, the chapel, the office, the café and dining area, and the café kitchen; for Sunday, the chapel and office.
40. Loitering in adjacent neighborhoods and in the parking lot area is prohibited. Security personnel as employed by the permittee may enforce the prohibition of loitering on the project site. The permittee shall report off-site loitering activities must be brought to the attention of the Sheriff's Department.
41. No later than three months from the issuance of this grant, the permittee shall submit an Exhibit "A" to Regional Planning demonstrating compliance with Title 22 sign development standards.
42. The permittee shall maintain only eight (8) storage containers on the site for the Oktoberfest event as shown on the approved Exhibit "A". No later than three months from the issuance of this grant, the permittee shall submit an Exhibit "A" to Regional Planning demonstrating adequate compliance with Title 22 outside storage and display standards.
43. The permittee, and all managers and designated employees of the establishment, who directly serve or are in the practice of selling alcoholic beverages, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program (or

any other appropriate State mandated program) provided by the State of California Department of Alcoholic Beverage Control. All new designated employees shall be required to attend. The licensee shall display a certificate or plaque in a publicly accessible area of the establishment, indicating they have participated in this program. Proof of completion of the facilities' training program by employees, the licensee and all managers shall be made available to Zoning Enforcement prior to the Oktoberfest festival on annual basis.

44. The permittee shall convene two community meetings during each annual Oktoberfest event. The first meeting shall occur during the first week of the event, and the second meeting shall occur during the fourth week of the event. Regional Planning staff shall be invited to attend these community meetings.
45. The permittee shall post signage that is visible by the public on the public right-of-way with the contact information for the Department of Regional Planning Zoning Enforcement Section. The signage shall reference the Project and CUP permit number.
46. The permittee shall comply with all conditions set forth in the attached County Public Works Department letter dated September 24, 2015 to the satisfaction of said Department.
47. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated July 14, 2015 to the satisfaction of said Department.
48. The permittee shall comply with all conditions set forth in the attached County Public Health Department letter dated August 21, 2015, and the Addendum letter, dated November 3, 2015, to the satisfaction of said Department, so that compliance with these conditions is also to the Department of Public Health's satisfaction:
 - a) Public Health will require the implementation of an annual Noise Mitigation Plan, which should include the services of a certified noise engineer during each event, in order to control amplified music noise levels inside the temporary structure. The mitigation plan shall be implemented in consultation with a Certified Acoustical Engineer or other competent professional consultant.
 - b) The applicant shall enter into an MOU, with terms and conditions for non-compliance with the County Noise Control Ordinance.
 - c) The Best Available Technologies for noise mitigation shall be considered and these should include, but not limited to:
 - Directional speaker output inside the temporary structure.
 - Higher STC rating material for the noise curtains.
 - Application of sound absorbing and muffling materials to the ceiling surfaces of the temporary structure.
 - Additional internal noise reduction wall coverings should be considered.

49. The permittee shall comply with all conditions set forth in the attached County Sheriff's Department letter dated October 29, 2015, to the satisfaction of said Department.
50. The permittee shall comply with all conditions as provided by the Department of Alcoholic Beverage Control, to the satisfaction of said Department, so that compliance with these conditions is also to ABC's satisfaction:

Conditions general to the normal operation of an on-sale establishment with beer & wine:

- a) Entertainment provided shall not be audible beyond the area under the control of the licensee(s).
- b) No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee(s).

Conditions specific to Oktoberfest:

- c) The licensee(s) shall provide uniformed security guard(s) from ½ hour before opening, to ½ hour after closing.
- d) No more than two (2) alcoholic beverages may be purchased by any one (1) person at any one (1) time.
- e) All persons serving alcoholic beverages cannot consume any alcoholic beverages.
- f) Cup size for beer shall not exceed 16 ounces. Cup size for wine shall not exceed 8 ounces.
- g) The petitioner shall not sell alcoholic beverages in glass or metal containers.
- h) The licensee(s) shall cease sales and service of alcoholic beverages one half-an-hour prior to the close of business.

Attachments:

Public Works Department Letter dated September 24, 2015

Fire Department's Letter dated July 14, 2015

Public Health's Department Letter dated August 21, 2015, and addendum, dated November 3, 2015

Sheriff's Department Letter dated October 29, 2015

(310) 830-1123

October 29, 2015

Mr. Travis Seawards
Los Angeles County Department of Regional Planning
320 W. Temple Street 13th Floor
Los Angeles, California 90012

**CONDITIONAL USE PERMIT 201300090
PROJECT NUMBER R2013-01777-(2)
833 WEST TORRANCE BOULEVARD, TORRANCE**

Dear Mr. Seawards:

Since our last correspondence in March, Alpine Village has hosted its annual Oktoberfest celebration. As of this date, we have had only one arrest for battery to one of the security guards at the venue. The event has been relatively quiet.

An issue that arose at the beginning of the celebration in September, was that Alpine Village hired a new security company to monitor the festivities. The first couple of nights the Sheriff's Department worked the event, the security company wanted us to enforce minor issues (standing on tables, etc.). In the past, the security company addressed these types of issues, leaving the Sheriff's Department to handle intoxicated, unruly guests and incidents of a more serious nature. After discussing this with Alpine Village management, this issue was corrected and we resumed the previous method of policing the event.

Another issue was the security officers working for the security company are youthful in appearance and do not project an authoritative, professional presence. This leads patrons to dismiss them when confronted and leads to an escalation in the situation requiring the Sheriff's Department to intercede.

Overall, Alpine Village continues to improve its compliance with our requests made through the Conditional Use Permit.

As with the previous Conditional Use Permit, prior to each Oktoberfest event, Alpine Village shall submit and receive approval from the Sheriff's Department on a security plan for the event, including any necessary supplemental law enforcement services, to the satisfaction of the Sheriff's Department.

Thank you for the opportunity to provide input. Please do not hesitate to contact me or my staff at (310) 847-8379 if you need any additional information.

Sincerely,

JIM MCDONNELL, SHERIFF

Chris E. Marks, Captain
Commander, Carson Station



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone (626) 458-5100
<http://dpw.lacounty.gov>

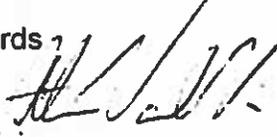
ADDRESS ALL CORRESPONDENCE TO
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

September 24, 2015

IN REPLY PLEASE
REFER TO FILE LD-2

TO: Mi Kim
Zoning Permits West Section
Department of Regional Planning

Attention Travis Seawards

FROM: Art Vander Vis 
Land Development Division
Department of Public Works

**CONDITIONAL USE PERMIT (CUP) NO. 201500056
PROJECT NO. R2015-01506
833 TORRANCE BOULEVARD, ALPINE VILLAGE
ASSESSOR'S MAP BOOK NO. 7350, PAGE 1, PARCEL NOS. 16, 18, AND 27
UNINCORPORATED COUNTY AREA OF WEST LOS ANGELES**

Thank you for the opportunity to review the site plan and the zoning permit application for the project located at 833 Torrance Boulevard in the unincorporated County area of West Los Angeles. The applicant requests authority for alcohol sales within three existing areas of Alpine Village, including the market patio, the restaurant balcony, and the banquet hall, where permits do not currently exist. The applicant also requests a five-year extension (until year 2021) of CUP No. 201300090, which when approved in August 2013 authorized an annual Oktoberfest festival in a temporary tent for a period of three years. CUP No. 201300090 is attached for reference.

-
- Public Works recommends that the conditions shown below be applied to the project if ultimately approved by the advisory agency.
- Public Works has comments on the submitted documents and, therefore, a Public Hearing shall **NOT** be scheduled until the following comments have been addressed.

CONDITIONS

1. The project driveway located along Torrance Boulevard shall restrict left-turn egress movements by using way-finding signage and parking attendants during each annual Oktoberfest festival.

If residents of the community express concerns that the project's on-site parking is spilling over onto the neighboring residential streets and the concerns are substantiated by Public Works, the project shall be solely responsible for the costs to establish a preferential parking district to the satisfaction of Public Works and the residents. The project shall be responsible for the costs to initially establish the parking district including signs, permits, and administration. The boundaries of the parking district shall be determined by Public Works with input from residents and the project developer.

If you have any questions regarding condition No. 1, please contact Jeff Pletyak of Public Works' Traffic and Lighting Division at (626) 300-4721 or jplet@dpw.lacounty.gov.

2. The applicant shall submit building plans associated with the temporary Oktoberfest tent annually to Building and Safety Division's Southwest District office for review and permit issuance.

If you have any questions regarding condition No. 2, please contact Roy Itani of Public Works' Building and Safety Division, Southwest District office, at (323) 820-6501 or ritani@dpw.lacounty.gov.

3. This project is exempt from frontage requirements (street improvements and right-of-way dedications) per Section 22.48.280 of the Los Angeles County Code.

~~If you have any questions regarding condition No. 3 or need additional information, please contact Matthew Dubiel of Public Works' Land Development Division at (626) 458-4921 or mdubiel@dpw.lacounty.gov.~~

MD:tb



**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: CUP R2015-01506

**THE FIRE DEPARTMENT RECOMMENDS APPROVAL OF THIS PERMIT, FOR
THE REQUEST FOR THE ON-SITE SALE OF BEER AND WINE ONLY, WITH
THE FOLLOWING CONDITIONS OF APPROVAL.**

CONDITIONS OF APPROVAL

1. Submit architectural plans for review and approval of the Temporary Tent to the Fire Department's Regional Fire Prevention Office in the City of Carson on an annual basis for the Oktoberfest festival. The office is located at 701 E. Carson St., Room B-24, Carson, 90745. The contact phone number for this office is (310) 830-9596.

For any questions regarding the report, please contact Juan Padilla at (323) 890-4243 or Juan.Padilla@fire.lacounty.gov.



CYNTHIA A. HARDING, M.P.H.
Interim Director

JEFFREY D. GUNZENHAUSER, M.D., M.P.H.
Interim Health Officer

ANGELO J. BELLOMO, REHS, QEP
Director of Environmental Health

TERRI S. WILLIAMS, REHS
Assistant Director of Environmental Health

5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5100 • FAX (626) 813-3000

www.publichealth.lacounty.gov

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Third District

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Michael D. Antonovich
Fifth District

August 21, 2015

TO: Travis Seawards
Regional Planning Assistant II
Department of Regional Planning

FROM: Michelle Tsiebos, REHS, DPA M.T.
Environmental Health Division
Department of Public Health

**SUBJECT: CUP CONSULTATION
PROJECT NO. R2015-01506/ RCUP201500056
Alpine Village Oktoberfest
833 W. Torrance Blvd., West Carson**

- Public Health recommends approval of this CUP.
- Public Health does **NOT** recommend approval of this CUP.

The Department of Public Health has reviewed the information provided for the project identified above. The CUP renewal request is for the sale of alcohol at the Oktoberfest festival in a temporary tent. The Department recommends approval of this CUP with the following conditions:

1. The applicant shall install gas detection alarm systems inside the tent as required by the Solid Waste Program. The location of the detectors shall remain the same as the previous year. The applicant shall submit a plot plan if the tent dimensions will differ from the previous year.

For questions regarding the above requirements please contact Pete Oda of the Solid Waste Management program at (626) 430-5540.

2. The Toxic Epidemiology Program is submitting the following comments:
 - A. The applicant shall adhere to the Los Angeles County Noise Control Ordinance, as contained in Chapter 12.08 of the Los Angeles County Code.

- B. The applicant shall hire the services of a third party environmental noise engineer or consultant in order to verify compliance with the noise ordinance during the event.
- C. If needed the Program can review the proposed noise monitoring plan prior to the event.
- D. During monitoring the Program could meet with the consultant to establish QA/QC issues regarding the placement of equipment, calibration, and curfew.

For questions regarding the above requirements please contact Evenor Masis at (213) 738-6126 or Robert Vasquez at (213) 738-4596

- 3. The applicant is advised to contact the South Bay DSE office at (310) 519-6050 prior to applying for a Public Health temporary event permit.

For any other questions regarding this report, please contact me at (626) 430-5382 or at mtsiebos@ph.lacounty.gov.



CYNTHIA A. HARDING, M.P.H.
Interim Director

JEFFREY D. GUNZENHAUSER, M.D., M.P.H.
Interim Health Officer

ANGELO J. BELLOMO, REHS, QEP
Director of Environmental Health

TERRI S. WILLIAMS, REHS
Assistant Director of Environmental Health

5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5100 • FAX (626) 813-3000

www.publichealth.lacounty.gov

November 3, 2015

Travis Seawards, AICP
Regional Planner
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

**RE: ADDENDUM TO COMMENTS CUP CONSULTATION
PROJECT NO. R2015-01506/RCUP201500056
Alpine Village Oktoberfest
833 West Torrance Blvd., West Carson**

Mr. Travis:

The Department of Public Health has determined that Alpine Village inc. has not been able to comply with the Los Angeles County Noise Control Ordinance, as contained in Chapter 12.08 of the Los Angeles County Code. Noise standards continued to be exceeded during the Oktoberfest events from 2013-2015, despite the implementation of mitigation measures (i.e.: inclusion of a noise curtain along the south boundary line adjacent to the County flood channel and relocation of the music stage inside the temporary tent).

Residents from the adjacent residential communities have expressed that the staff from the above venue have corrected numerous issues such as traffic jams, safety, parking circulation, and controlled access to the venue. However, noise continues to be an issue to some of the residents. We have only received two public complaints over the current year.

BOARD OF SUPERVISORS

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Don Knabe
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Michael D. Antonovich
Fifth District

November 3, 2015

Page 2

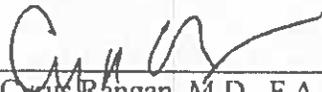
In order to address these reoccurring exceedances we are presenting the following recommendations to be included in the conditions for the above CUP

Recommendations

1. Public Health will require the implementation of an annual Noise Mitigation Plan, which should include the services of a certified noise engineer during each event, in order to control amplified music noise levels inside the temporary structure. The mitigation plan shall be implemented in consultation with a Certified Acoustical Engineer or other competent professional consultant.
2. The applicant shall enter into an MOU, with terms and conditions for non-compliance with the County Noise Control Ordinance.
3. The Best Available Technologies for noise mitigation shall be considered and these should include, but not limited to:
 - Directional speaker output inside the temporary structure.
 - Higher STC rating material for the noise curtains.
 - Application of sound absorbing and muffling materials to the ceiling surfaces of the temporary structure.
 - Additional internal noise reduction wall coverings should be considered.

If you have any further questions, please call Evenor Masis (213)738-3220.

Sincerely,



Cyrus Rangan, M.D., F.A.A.P., A.C.M.T
Director, Bureau of Toxicology and Environmental Assessment

**BURDEN OF PROOF
CONDITIONAL USE PERMIT
FOR EXPANDED ALCOHOL SALES AT ALPINE VILLAGE
AND TWO-YEAR EXTENSION OF OKTOBERFEST EVENT**

County Code Section 22.56.040 requires a conditional use permit for an establishment that currently sells alcoholic beverages, if the establishment substantially changes its mode or character of operation including expanded areas of sale. Alpine Village has served alcoholic beverages throughout its 14-acre site for decades, long before County zoning regulated the sale of alcohol. Alcohol sales have been an important component of various sporting events and cultural festivals, an import grocery market, an ethnic German café, a restaurant and nightclub, and various other banquet rooms and assembly areas used for conventions, private parties, bingo, and also for the Oktoberfest event that occurs over several weekends in September and October each year.

This conditional use permit request will authorize the on-site sale of alcoholic beverages within the existing café patio, restaurant balcony, and a banquet room where sales have occurred historically but which were unintentionally omitted from state licenses. In addition, this conditional use permit request will authorize the sale of beer and wine at the annual Oktoberfest event through 2020, under the same conditions as those approved by the Regional Planning Commission as part of Conditional Use Permit No. 201300090.

Pursuant to County Code Section 22.56.040, the applicant for a conditional use permit shall substantiate the following:

- A. That the requested use at the location will not:**
- 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or**
 - 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or**
 - 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.**

The sale of alcoholic beverages at the existing café, restaurant (including the balcony) and a banquet room within Alpine Village will continue the decades-long use of the site. The sale of alcoholic beverages has occurred within areas of the existing café, restaurant balcony, and a banquet room for many years; this conditional use permit will also allow for state licensing records to be updated to recognize service within those areas.

The sale of beer and wine at the annual Oktoberfest event will also continue the decades-long use of the site. Alpine Village has annually hosted a traditional Oktoberfest celebration since 1968. During weekends in September and October, visitors come from all over to experience Oktoberfest. Programs occur Friday, Saturday, and Sunday where visitors can

**BURDEN OF PROOF
CONDITIONAL USE PERMIT
FOR EXPANDED ALCOHOL SALES AT ALPINE VILLAGE
AND TWO-YEAR EXTENSION OF OKTOBERFEST EVENT**

experience a taste of the 200 year-old Bavarian celebration that was originally the celebration of a royal wedding. German folk music, dancing, authentic food, a merchandise booth with souvenirs for purchase, and, of course, German beer are featured. The annual event has always had its own specific state alcohol beverage license.

In 2013, the County Department of Regional Planning asked for, and Alpine Village agreed to apply for, a conditional use permit for the Oktoberfest festival, and more specifically the sale of alcoholic beverages at Oktoberfest. Although Alpine Village doubts the essential need for this permit, because the event is unchanged and long predates the County ordinance requiring a conditional use permit for alcohol sales, the operators agree that the permit has increased efficiency of annual clearances and provide for appropriate, clear and enforceable operating conditions.

The Regional Planning Commission approved Conditional Use Permit No. 201300090 in August, 2013, to authorize the Oktoberfest festival in the temporary tent for three years. This conditional use permit request would authorize the sale of beer and wine at the Oktoberfest event for an additional two years.

The applicant will continue its cooperation with County agencies to insure the safety and enjoyment of visitors and the surrounding community. The sale of alcoholic beverages will be managed by operating conditions imposed by this conditional use permit, which have been derived from close communication with representatives of the State Department of Alcoholic Beverage Control and the Los Angeles County Sheriff's Department.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The sale of alcoholic beverages will occur in existing areas on a 14-acre site that has been a commercial and entertainment center for many years. For Oktoberfest, part of the 1,200-space parking lot is occupied by a temporary tent enclosing tables and benches and a stage. The 32,350 square foot tent has a precise and enforceable occupancy limit.

The project site is compliant with all of the development standards for the M 1.5 Zone.

**BURDEN OF PROOF
CONDITIONAL USE PERMIT
FOR EXPANDED ALCOHOL SALES AT ALPINE VILLAGE
AND TWO-YEAR EXTENSION OF OKTOBERFEST EVENT**

C. That the proposed site is adequately served:

- 1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and**
- 2. By other public or private service facilities as are required.**

The subject property is located within an urbanized Los Angeles County community near the cities of Torrance and Carson. It is at the intersection of Torrance Boulevard and Vermont Avenue, and is adjacent to the 110 Freeway. All access roads are fully improved and adequate to provide the necessary traffic generated for such proposed use in the area without the need to require additional services. The site is also adequately served by Los Angeles County Metro public transportation system.

Pursuant to Zoning Code Section 22.56.195 B, the following additional findings are prerequisite to a grant of a conditional use permit for alcohol sales:

- 1. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.**

There is one church located approximately 600 feet west of the project site, on the other side of the 110 Freeway. The church is adequately buffered from the project site by the heavily-traveled freeway and will not be adversely affected by the on-site sale of alcoholic beverages.

The proposed sale of alcoholic beverages is consistent with the long-standing commercial and entertainment uses of the site, including an existing restaurant and night club, a specialty market, café, event venue, and annual Oktoberfest festival.

- 2. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.**

Single-family residences are located to the south of the Alpine Village site, across Torrance Boulevard. Multiple-family residences are located to the west, across a wash.

The applicant will continue its cooperation with County agencies to insure the safety and enjoyment of visitors and the surrounding community. The sale of alcoholic beverages will be managed by operating conditions imposed by this conditional use permit, which have been derived from close communication with representatives of the State Department of Alcoholic Beverage Control and the Los Angeles County Sheriff's Department.

**BURDEN OF PROOF
CONDITIONAL USE PERMIT
FOR EXPANDED ALCOHOL SALES AT ALPINE VILLAGE
AND TWO-YEAR EXTENSION OF OKTOBERFEST EVENT**

3. **The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment.**

There are three establishments outside of Alpine Village that are within 500 feet of the site and have a license to sell alcohol. Two establishments are gas stations with a Type 20 license for the off-site sale of beer and wine. The other establishment is a liquor store with a Type 21 license for the sale of off-site alcoholic beverages. Per County zoning standards, the location of other uses that sell alcohol within 500 feet of the project site results in an overconcentration of alcohol permits in the area and requires a finding of public convenience and necessity.

Alpine Village has been a hub of European culture in Southern California since 1968 and it is a mainstay of the community of West Carson. It is home to an import grocery, a bakery, butcher shop, restaurant and nightclub, and 20 specialty shops. It produces 60,000 loaves of artisanal bread each year. Butchers stuff 10,000 pounds of fresh, authentic sausage each week. The various businesses on the site are patronized by approximately 13,000 people each week—a number that goes up during Oktoberfest. To the east, across the 110 Freeway, new entertainment, retail, and residential projects are being developed to bring new life to the area.

The development of Alpine Village has not yet reached its potential. As a former landfill, the property needs a large input of work and capital to keep improving. The lot, situated over gassy land, needs to be re-compacted and re-graded. Lighting facilities and landscaping need to be updated and enhanced. The existing businesses need to grow and fill a need for recreation and event space in a growing, improving community.

The sale of alcoholic beverages is essential for the success of the capital improvement program planned for the site, including a new permanent structure for use as an event center that will host a wide variety of activities. The applicant's vision is to spearhead the improvement of the neighborhood to the benefit of its shareholders and the community. The fact that the site is located within a 500-foot radius of another facility selling alcoholic beverages is outweighed by the public convenience and necessity of the continuing operation of this important community-serving facility.

**BURDEN OF PROOF
CONDITIONAL USE PERMIT
FOR EXPANDED ALCOHOL SALES AT ALPINE VILLAGE
AND TWO-YEAR EXTENSION OF OKTOBERFEST EVENT**

4. **The requested use at the proposed location will not adversely affect the economic welfare of the surrounding community.**

The continued sale of alcoholic beverages within areas of the existing café patio, restaurant balcony and banquet room and the continuation of the decades-long tradition of an Oktoberfest celebration at the site will not adversely affect the economic welfare of the surrounding community. It will ensure the continued viability of the site and continue to provide jobs and tax revenue for the surrounding community.

5. **The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood.**

The continued sale of alcoholic beverages within areas of the existing café patio, restaurant balcony and banquet room will not impact the exterior appearance of Alpine Village. The temporary tent accommodating the Oktoberfest event is attractive and has been associated with the site for many years.



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



August 28, 2013

Richard J. Bruckner
Director

Charles J. Moore
2049 Century Park East, 28th Floor
Los Angeles, CA 90067-3284

**REGARDING: PROJECT NO. R2013-01777-(2)
CONDITIONAL USE PERMIT NO. 201300090
833 W. Torrance Blvd., Torrance, CA 90502**

The Regional Planning Commission, by its action of **August 28, 2013**, has **APPROVED** the above-referenced project. Enclosed are the Commission's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Regional Planning Commission's decision. The appeal period for this project will end at 5:00 p.m. on **September 11, 2013**. **Appeals must be delivered in person.**

Appeals:

To file an appeal, please contact:
Executive Office of the Board of Supervisors
Room 383, Kenneth Hahn Hall of Administration
500 West Temple Street, Los Angeles, CA 90012
(213) 974-1426

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Travis Seawards of the Zoning Permits West Section at (213) 974-6462, or by email at TSeawards@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner

Mi Kim, Supervising Regional Planner
Zoning Permits West Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)

c: Board of Supervisors; DPW (Building and Safety); Zoning Enforcement; Otto Radke

MKK:TSS

CC.060412

**FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. R2013-01777-(2)
CONDITIONAL USE PERMIT NO. 201300090**

1. **ENTITLEMENT REQUESTED.** The applicant, Alpine Village, Inc., is requesting a Conditional Use Permit (CUP) to authorize the on-site sale of beer and wine in a temporary tent for the annual Oktoberfest festival pursuant to County Code Section 22.32.130 in the M 1.5 (Restricted Heavy Manufacturing) Zone.
2. **HEARING DATE.** August 21, 2013. Continued to August 28, 2013.
3. **PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION.** A duly noticed public hearing was held on August 28, 2013 before the Regional Planning Commission ("Commission"). Commissioners Valadez, Louie, Helsley, and Pedersen were present, and Commissioner Modugno was absent.

Staff presented the case to the Commission. Clarification was provided by staff on the length of the grant term, which is three years, that the alcohol permit only applies to the sale of alcohol in the temporary tent facility during Oktoberfest, and that all employees that will serve alcohol at the event are trained. Further questions on specific operations of the event, such as the number of daily patrons, were deferred to the applicant.

The applicant's representative, Charles Moore, presented testimony in favor of the request and stated that there were no attendees at the hearing that opposed the CUP, and that he has personally visited the Sheriff's Department and Department of Alcoholic Beverage Control to discuss the CUP permit at Alpine Village. Mr. Moore requested that he would like two changes to the conditions of approval: 1) to allow the event to be eight weeks instead of six weeks, and 2) to allow the sale of alcohol to be extended to 12:00 midnight instead of 11:00 pm. Otto Radke, Alpine Village's General Manager, provided more operational details of the Alpine site and the Oktoberfest festival and clarified that they try to self limit the event to about 55,000 attendees, and at the busiest times they have approximately 2,300 people per day at the event. Mr. Radke stressed he was working hard to gain the community's trust and also asked for the same change to the conditions of approval as there would be a negative financial impact to their business without the change.

Three other people testified at the hearing. Klaus Tabar is on the Board for Alpine Village and stressed that the site has been a part of the community for 40 years. Selene Ketchum testified that she works for a non-profit that has utilized Oktoberfest for successful fundraising efforts and supports the approval of the CUP. Scott Ramsay is a sound engineer that works for Alpine Village and he testified to the improvements the operators have been making over the years.

The Commissioners asked follow up questions to the applicant's agent and to staff. The applicant clarified that glass and ceramic steins are no longer used at the event. Staff clarified that the security plan would need to be approved and entered into by Alpine and the Sheriff before the event begins, and that Planning would be provided a copy of the security plan. The applicant clarified that they now have a direct contact and have established a relationship with the Carson Sheriff Office and can therefore ensure this can get done. Further discussion ensued and a motion was made by Commissioner Helsley to amend certain conditions as follows:

- Allow the event to be held over eight (8) weeks instead of six (6) weeks;
- Allow the sale of alcohol up to 11:30 pm, and allow the event to close by 12 midnight.
- Require that servers show proof of their alcohol server training.

Commissioner Valadez asked for an additional condition requiring the applicant to hold two (2) community meetings during the Oktoberfest event, one at the beginning of the event, and one in the middle of the event, with planning staff in attendance, so that issues from the Oktoberfest festival can be swiftly addressed.

There being no further testimony, the Commission closed the public hearing and approved the project subject to the revised conditions recommended by staff and agreed to by the applicant's representative.

4. **PROJECT DESCRIPTION.** The applicant, Alpine Village Inc., is requesting a Conditional Use Permit (CUP) to allow the on-site sale of beer and wine (Type 41) in a temporary tent facility for an annual Oktoberfest festival. The Oktoberfest festival is held at Alpine Village, which is a 14.12-acre site that consists of a restaurant and tavern, café, retail shops, and a market. The Oktoberfest festival occurs annually for six weekends over the course of six consecutive weeks during the months of September and October. The festival occurs in a 32,350 temporary tent facility that is located in the parking lot for Alpine Village. This CUP requests applies only to the sale of alcohol at the Oktoberfest festival in the temporary tent and does not approve the sale of alcohol at any other site on the Alpine Village property. For the Oktoberfest festival, Alpine Village proposes to sell alcohol from the hours of 5:00 pm to 11:30 pm on Friday and Saturdays, and from 1:00 pm to 6:00 pm on Sundays. On Fridays and Saturdays, the event will be closed down by 12 am midnight.
5. **LOCATION.** The subject property is located at 833 W. Torrance Boulevard in the unincorporated community of West Carson in the Carson Zoned District.
6. **EXISTING ZONING.** The subject property is zoned M 1.5 (Restricted Heavy Manufacturing Zone). Surrounding properties are zoned as follows: M 1.5, M-2 (Heavy Manufacturing) and the City of Los Angeles to the north, C-2 (Neighborhood Business), R-1 (Single-Family Residence), and A-1 (Light Agricultural) to the south, A-1 and the City of Carson to the east, and R-2 (Two-Family Residence) and R-3 (Unlimited Multiple Residence) to the west.

7. **EXISTING LAND USES.** The subject property is currently developed with a mix of retail uses, offices, a restaurant and bar, grocery store, and a large parking lot that holds the annual Oktoberfest festival. Surrounding properties are developed as follows: Los Angeles County Flood Channel, public storage, truck sales and leasing, and multi-family residences to the north, gas station and auto repair, and single-family residences to the south, Interstate 110 (Harbor Freeway) and the City of Carson, developed primarily with industrial uses and supporting commercial services to the east, and a Los Angeles County Flood Channel and multi-family residences to the west.
8. **PREVIOUS CASES/ZONING HISTORY.** The relevant zoning history and permit approvals for the project site are as follows:
- Zoning Exception Case No. 8238-(2) approved the construction of a shopping center and sports stadium (soccer field) with appurtenant facilities on September 8, 1996.
 - Revised Exhibit "A" No. 8238-(2) approved a temporary tent facility in association with a soccer field for picnics with a capacity of 250 people on October 19, 1966.
 - Plot Plan No. 12896 Approved Alpine Village Shopping Center, which included retail stores and restaurants June 4, 1981. Further revisions to this plot plan include:
 - February 21, 1984: Approved additional retail/office space and a beer garden as an accessory to the restaurant.
 - April 27, 1984: Approved the operation of a swap meet on the subject property.
 - May 23, 1985 and July 25, 1985: Continued the operation of a swap meet on the subject property.
 - July 27, 1988: Approved the construction of a 2nd level to one of the existing structures on the site.
 - May 7, 1990: Approved the continuation of a swap meet on the subject property.
 - August 27, 1992: Approved the continuation of a swap meet on the subject property.
 - April 20, 1994: Allowed the operation of Bingo on the subject property.
 - July 1, 2002: Allowed the location of refrigerated units and dry storage containers for a restaurant on the subject property.
 - Plot Plan No. 200501587 revised and approved the continuation of a swap meet operation on the subject property on October 26, 2005. This permit expires 12/31/20.
 - Plot Plan No. 200800264 approved a temporary, prefabricated open covered patio structure public assembly beer garden of 32,350 square foot, to be used as an accessory to existing restaurants on June 3, 2008.
 - Plot Plan No. 201000734 approved a temporary, prefabricated open covered patio structure public assembly beer garden of 32,350 square foot, to be used as an accessory to existing restaurants on July 26, 2010.

- Plot Plan No. 201100669 approved a temporary, prefabricated open covered patio structure public assembly beer garden of 32,350 square foot, to be used as an accessory to existing restaurants on August 11, 2011.
 - Plot Plan No. 201200464 approved a temporary, prefabricated open covered patio structure public assembly beer garden of 32,350 square foot, to be used as an accessory to existing restaurants on August 11, 2012.
9. **GENERAL PLAN / COMMUNITY PLAN CONSISTENCY.** The Alpine Village shopping center is consistent with the conditions and General Plan policy guidance for Non-Industrial Uses in Major Industrial Areas, and the sale of alcohol at Oktoberfest is deemed consistent with the underlying land use. The subject property is designated I – Major Industrial by the General Plan. Areas designated as I – Major Industrial are generally appropriate for major industrial uses including manufacturing of all types, mineral extraction sites, refineries, warehousing and storage, and product research and development. The General Plan Land Use Element provides guidance for Non-Industrial Uses in Major Industrial Areas by recognizing that the Major Industrial category depicted on the Land Use Policy Map is, due to mapping scale and data resource factors, generalized in nature, and may in fact include areas with limited potential for industrial development. Therefore, establishment of non-industrial uses within identified Major Industrial areas, not covered by a more detailed area-wide or community plan, may be permitted.
- The existing development pattern in the area is a mix of industrial uses, commercial uses, and single-family and multi-family residential development. The Department's early approvals for Alpine Village were for a small-scale shopping center with accessory soccer fields, tennis courts, and eventually a temporary tent facility for picnics with a maximum capacity of 250 people. The intensity of the uses on the site has grown considerably, and the structures and uses except for the sale of alcohol are by-right uses in the M 1.5 Zone. Since Alpine Village was first constructed in the late 1960's, the trend in the surrounding area has been a movement away from industrial toward more commercial and residential uses. The presence of residential uses limits the amount and type of industrial development that can occur in the area.
10. **ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.** There are 16 storage containers on the site that contain materials related to the Oktoberfest event. Outside storage and display is subject to development standards as outlined in 22.56.560 in Title 22 (County Code). As a Condition of Approval, the applicant is required to submit to Regional Planning an Exhibit "A" that will demonstrate compliance with all of the requirements for outside storage and display for future events.
11. As determined by the Department of Public Works, Building and Safety Division, the maximum occupancy for the temporary tent facility is 2,157 occupants. This requires 719 parking spaces and the project site has 1,258 parking spaces. During the Oktoberfest event, several uses on the site are conditioned to be closed so that

the site will meet required parking requirements. In addition, as a Condition of Approval, the project is required to submit to Regional Planning an Exhibit "A" that demonstrates updated occupancy loads and parking calculations and that all parking requirements are being met.

12. As a Condition of Approval, the project is required to submit to Regional Planning an Exhibit "A" that demonstrates the site is in compliance with Title 22 sign development standards.
13. **NEIGHBORHOOD IMPACT/LAND USE COMPATIBILITY.** The project has had adverse impacts on the surrounding area and with the projects conditions of approval, the Department believes the project can be compatible with the neighborhood. The Oktoberfest festival has had some adverse impacts on the surrounding community. There are annual complaints related to noise from the event, and complaints from adjacent residential neighborhoods that overflow parking, traffic, and drunken behavior spills over from the event into residential neighborhoods. The County Sheriff's Department has stated that the site and the annual event strain their resources and that they see a significant spike in criminal activity, including serious offenses, during the Oktoberfest festival.

The Department of Regional Planning, in coordination with other County Departments and the Sheriff's Department, are proposing site-specific Conditions of Approval in hopes to mitigate these adverse impacts on the neighborhood. These conditions include ending the event earlier in the evening, ensuring that an approved security plan and security personnel are present on the site during the event, that a recorded security system is implemented, that a gas detection system is implemented, and that parking and traffic management personnel are present to prevent overflow into adjacent neighborhoods. Additionally, the tent structure will include a sound insulation barrier to mitigate noise trespass from the event.

14. **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS.** The Department's of Public Health, Public Works, the County Fire Department, and the County Sheriff's Department were consulted for the conditional use permit. All departments have recommended approval and their comments are attached to the conditions of approval.
15. **OTHER AGENCY COMMENTS AND RECOMMENDATIONS.** The California Department of Alcoholic Beverages was consulted for the conditional use permit. Their alcohol license conditions have been included in the Department's Conditions of Approval.
16. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.

17. **PUBLIC COMMENTS.** To date, no public comments have been received.

CONDITIONAL USE PERMIT SPECIFIC FINDINGS

18. The existing development pattern in the area is a mix of industrial uses, commercial uses, and single-family and multi-family residential development. Since Alpine Village was first constructed in the late 1960's, the trend in the surrounding area has been a movement away from industrial toward more commercial and residential uses. The presence of residential uses limits the amount and type of industrial development that can occur in the area, and therefore the project site and the sale of alcohol for the Oktoberfest festival are consistent with General Plan policy guidance for Non-Industrial Uses in Major Industrial Areas.
19. With strict adherence to the project's Conditions of Approval, the Department of Regional Planning believes that the CUP Burden of Proof can be met and the project will not have an adverse impact on the area or public resources and service systems. The sale of alcohol at the Oktoberfest event has been the source of public complaints including rowdiness, noise, traffic, and parking spillover into adjacent residential neighborhoods. The Carson Station Sheriff's Department has stated that the event results in increased crime activity in the area and has been a strain on their resources. Several site-specific Conditions of Approval have been added to the project to mitigate the adverse effects the sale of alcohol at the Oktoberfest event has had on the surrounding area. At the request of the Sheriff's Department, a security plan and additional security personnel will be required to be on site during the event. Parking and traffic management personnel will be required to prevent traffic jams, unwanted parking, and rowdiness in adjacent residential neighborhoods. The duration of the event is being scaled back so that the hours of operation are as follows: on Fridays and Saturdays, alcohol can be sold from 5:00 pm to 11:30 pm, and the event will close down by 12:00 am (midnight); and on Sunday, alcohol can be sold from 1:00 pm to 6:00 pm. To address noise for the 2013 event, the applicant is proposing a temporary sound insulation system comprising of eight-foot tall sound panels; however, the applicant is also required to submit a sound mitigation plan for future Oktoberfest events to adequately address noise issues to the satisfaction of the Department of Public Health.
20. As conditioned, the project site is compliant with all of the development standards for the M 1.5 Zone including the provisions for outside storage and display, parking, and signage. As a Condition of Approval, the applicant will also be required to submit a final landscape plan to Regional Planning within three months of grant approval.
21. The project site is developed as a commercial center and also holds the annual Oktoberfest event in the parking lot. The project does not require new construction activities and does not require the construction of new streets. In consultation with the County Sheriff's Department, the project is required to provide adequate security for the Oktoberfest event to the satisfaction of the Sheriff's Department.

Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

22. The project site is located within 600 feet of sensitive uses. There is one church located approximately 600 feet west of the project site, and there are residences directly adjacent to Alpine Village to the south and to the west. The church is adequately buffered from the project site as it is located across the 110 Harbor Freeway. Therefore the continued sale of alcohol at the grocery store will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use.
23. With strict adherence to the project's Conditions of Approval, the Department of Regional Planning believes that the Alcoholic Beverages Burden of Proof can be met and the project will not have an adverse impact on the surrounding area. The subject property is adjacent to a residential neighborhood to the west and south of the project site. Overflow parking for the event has resulted in parking on adjacent residential streets and in commercial areas in the City of Carson with subsequent complaints of loitering, drunken rowdiness and vandalism. In addition, the event has caused neighbors to complain about the noise levels from music at the event. Several site-specific Conditions of Approval have been added to the project to mitigate the adverse effects the sale of alcohol at the Oktoberfest event has had on the surrounding area. At the request of the Sheriff's Department, a security plan and additional security personnel will be required to be on site during the event. Parking and traffic management personnel will be required to prevent traffic jams, unwanted parking, and rowdiness in adjacent residential neighborhoods. The hours of operation are also being scaled back so that the event ends the sale of alcohol at 11:30 pm and is closed down by midnight, and a sound insulation system comprising of eight-foot tall sound panels in the tent will address noise complaints. Other conditions require Alpine Village to submit a landscape plan, and all cargo containers on site are required to be screened from view by public streets. All of these actions will help improve the overall visual appearance of the site. Therefore, the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.
24. There is an overconcentration of establishments that sell alcohol in the area. Currently, there are three establishments outside of Alpine Village that are within 500-feet of the project and have a license to sell alcohol. Two establishments are gas stations with a Type 20 for the off-site sale of beer and wine, and the other is a liquor store with a Type 21 for the off-site general sale of alcohol. Per County zoning standards, the location of other uses that sell alcohol within 500 feet of the proposed project results in an overconcentration of alcohol permits in the area and thus requires a finding of public convenience and necessity. The Oktoberfest event at Alpine Village is a festival based on the German Oktoberfest festival that is an annual celebration of beer. The sale of alcohol at the German-themed shopping center during Oktoberfest is a public convenience and necessity.

25. ABC data illustrates that the site is within an area that does not have an undue concentration of alcohol sales. The subject site is within Census Tract 5435.02. Four ABC licenses are allowed within this census tract, and only three ABC licenses currently exist
26. Several site-specific Conditions of Approval have been added to the project to mitigate the adverse effects the sale of alcohol at the Oktoberfest event has had on the surrounding area. At the request of the Sheriff's Department, a security plan and additional security personnel will be required to be on site during the event. Parking and traffic management personnel will be required to prevent traffic jams, unwanted parking, and rowdiness in adjacent residential neighborhoods. The hours of operation are also being scaled back so that the event ends the sale of alcohol at 11:30 pm and is closed down by midnight, and a sound insulation system comprising of eight-foot tall sound panels in the tent will address noise complaints. Other conditions require Alpine Village to submit a landscape plan, and all cargo containers on site are required to be screened from view by public streets. All of these actions will help improve the overall visual appearance of the site, and therefore the project will not cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.
27. **ENVIRONMENTAL DETERMINATION.** The project is a request to allow the on-site sale of beer and wine (Type 41) in an existing temporary tent facility for an annual Oktoberfest festival that has occurred annually for over 30 years. Therefore, the project qualifies as a Categorical Exemption and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
28. **TERM LIMIT.** To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Regional Planning Commission determines that it is necessary to limit the term of the grant to three (3) years.
29. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

WITH RESPECT TO THE CONDITIONAL USE PERMIT

- A. That the proposed use will be consistent with the adopted general plan for the area; and
- B. That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

WITH RESPECT TO ALCOHOLIC BEVERAGE SALES:

- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius; and
- F. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area; and
- G. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment; and
- H. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and

- i. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

THEREFORE, the information submitted by the applicant and presented at the public hearing/meeting substantiates the required findings for a Conditional Use Permit and the sale of alcoholic beverage sales as set forth in Sections 22.56.090 and 22.56.195 of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. The Regional Planning Commission determines that the project is exempt from the California Environmental Quality Act pursuant to the Class 1 – Existing Facilities categorical exemption.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 201300090 is **APPROVED** subject to the attached conditions.

MKK:TSS
8/13/13

- c: Each Commissioner, Zoning Enforcement, Building and Safety

**CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2013-01777-(2)
CONDITIONAL USE PERMIT NO. 201300090**

PROJECT DESCRIPTION

The project is a request for a Conditional Use Permit (CUP) to authorize the on-site sale of beer and wine in a temporary tent for the annual Oktoberfest festival, subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9, shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on August 28, 2016.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$2,400.00**. The deposit shall be

placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for six (6) inspections during the 2013 Oktoberfest festival, and three (3) inspections each for the 2014 and 2015 Oktoberfest festival, for a total of twelve (12) inspections. Inspections will be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT (SALE OF ALCOHOLIC BEVERAGES)

19. The conditions of this grant shall be retained on the premises at all times and shall be immediately produced upon request of any County Sheriff, Zoning Inspector or Department of Alcoholic Beverage Control agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein.
20. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property including windows, walls, fences or similar structures in which the advertisement is visible from outside the property site.
21. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.
22. All servers of alcoholic beverages must be at least 21 years of age.
23. All parking lot and other exterior lighting shall be hooded and directed away from neighboring residences to prevent direct illumination, glare, and light trespass, and shall be turned off within thirty minutes after conclusion of activities, with the exception of sensor-activated security lights and/or low level lighting along all pedestrian walkways leading to and from the parking lot. The permittee shall provide adequate lighting above all entrances and exits to the premises and shall provide adequate lighting in all parking areas and walkways under the control of the permittee.

PROJECT SITE SPECIFIC CONDITIONS

24. This grant authorizes the sale of alcoholic beverages during the Oktoberfest event, which is held annually on the site. The sale of alcoholic beverages authorized by

this grant is limited to one consecutive eight-week period commencing in September and ending in October, and is further limited during that eight-week period to the hours of 5:00 p.m. to 11:30 p.m. Friday and Saturday, and 1:00 p.m. to 6:00 p.m. on Sunday. On Friday and Saturday evening, the sale of alcohol shall end at 11:30 p.m. and the event shall be closed by 12:00 a.m. (midnight). The sale of alcoholic beverages pursuant to this grant must take place during the Oktoberfest event. This grant may not be used in connection with any event or function on the site other than the Oktoberfest event.

25. The permittee shall submit an annual site plan for the Oktoberfest temporary tent for Regional Planning approval.
26. There shall be no sale or consumption of alcoholic beverages outside the designated areas of the tent facility. The permittee shall be responsible for enforcing this restriction, and shall instruct all designated employees, who are serving or selling alcoholic beverages regarding this restriction. The permittee shall instruct all such employees to enforce such restrictions, monitor all exits from the facility, and call the County Sheriff's Department (Sheriff) as necessary to enforce the restriction.
27. The permittee shall not advertise or hold any "happy hour" drink specials, "two for one" drink specials, or any other promotions that offer discounted alcoholic beverages at the Oktoberfest festival.
28. The permittee shall post or otherwise provide telephone numbers of local law enforcement agencies and taxicab companies at or near the cashier, and near the entry and exit areas of the permanent tent facility. Such telephone numbers shall be visible by and available to the general public.
29. The permittee shall ensure that noise levels from the Oktoberfest event shall not exceed acceptable noise levels for surrounding properties as determined by the County Department of Public Health (Public Health). The permittee may install temporary sound walls or other sound mitigation equipment to ensure compliance. Any changes to the approved Exhibit "A" will require the permittee to apply for the appropriate permits.
30. No later than three months from the issuance of this grant, the permittee shall submit a noise mitigation plan to Public Health for review and approval. The noise mitigation plan must cover all areas of the site being utilized for the Oktoberfest event, including all parking areas and areas which alcoholic beverages are being sold or consumed, and must describe to the satisfaction of Public Health how sound at the subject property lines during the Oktoberfest event will not exceed acceptable noise levels for surrounding properties, as determined by Public Health. Any changes to the approved Exhibit "A" as required by the approved noise mitigation plan will require the permittee to apply for the appropriate permits.

31. The permittee must provide complimentary food items, such as pretzels or other similar snacks, for patrons consuming alcohol during the event. Such complimentary food items must be easily accessible to patrons and continuously available while alcoholic beverages are being sold or consumed.
32. Food service shall be continuously provided during operating hours of the Oktoberfest event, which are 5:00 p.m. to 12:00 a.m. (midnight) on Fridays and Saturdays, and from 1:00 p.m. to 6:00 p.m. on Sundays
33. The permittee shall develop and implement a Designated Driver program, which shall include, at a minimum, complimentary soft drinks and coffee for designated drivers. The permittee shall submit the program to the Director of Planning for approval prior to the approval of the Exhibit "A". A printed two-sided card describing the program must be available in areas in which alcoholic beverages are being sold or consumed.
34. The permittee shall provide continuous security during all times the Oktoberfest event is open to the public and/or patrons of the Oktoberfest event are on site. The permittee shall be responsible for requiring all security personnel to prevent violations of the law, enforce compliance by patrons with the requirements of this grant, and notify the Sheriff of any violations of law observed. Security personnel must be uniformed in such a manner so as to be readily identifiable as security as required by applicable provisions of State or local law. Prior to each Oktoberfest event, the permittee must obtain approval from the Sheriff of a security plan, which shall describe at a minimum the number and type of security personnel to be employed on site. The permittee shall provide a copy of the Sheriff approved security plan to Regional Planning.
35. Prior to each Oktoberfest event, the permittee shall enter into an agreement with the Sheriff to provide supplemental law enforcement services for each Oktoberfest event. The permittee shall agree to that number of law enforcement personnel which the Sheriff may require, in the Sheriff's reasonable discretion. The permittee may be required, at the option of the Sheriff, to deposit all monies due under the agreement prior to each Oktoberfest event.
36. Traffic and parking spillover into adjacent neighborhoods is prohibited. The permittee is responsible for ensuring that there is no parking spillover from the Oktoberfest event. The permittee shall employ the use of parking attendants as necessary to supervise traffic and parking, and will obtain any necessary permit approvals from the appropriate agencies for any street closures or any other street/traffic flow arrangements.
37. The project site is required to provide parking as shown on the approved Exhibit "A". Uses on the site shall close during the Oktoberfest event so that the required parking for all concurrent uses on the site does not exceed the parking provide on-site. To meet parking requirements for the 2013 Oktoberfest event, the following uses will be closed during the Oktoberfest event: For Friday and Saturday, all retail

stores, the chapel, the office, the café and dining area, and the café kitchen; for Sunday, the chapel and office.

38. No later than three months from the issuance of this grant, the permittee shall submit a parking management plan to Regional Planning for review and approval. The parking management plan must address how parking spillover will be addressed and mitigated. The parking management plan must provide updated occupancy load and other parking calculation information. Any changes to the approved Exhibit "A" or project as a result of the parking management plan will require the permittee to apply for the appropriate permits.
39. Loitering in adjacent neighborhoods and in the parking lot area is prohibited. Security personnel as employed by the permittee may enforce the prohibition of loitering on the project site. The permittee shall report off-site loitering activities must be brought to the attention of the Sheriff's Department.
40. No later than three months days from the issuance of this grant, the permittee shall submit a final landscaping plan to the Department of Regional Planning for approval by the Director.
41. No later than three months from the issuance of this grant, the permittee shall submit an Exhibit "A" to Regional Planning demonstrating compliance with Title 22 sign development standards.
42. The permittee shall maintain only 16 storage containers on the site for the Oktoberfest event as shown on the approved Exhibit "A". No later than three months from the issuance of this grant, the permittee shall submit an Exhibit "A" to Regional Planning demonstrating adequate compliance with Title 22 outside storage and display standards.
43. The parking lot shall be re-stripped as depicted on the approved Exhibit "A" for Oktoberfest 2013 within 30 days of approval of this permit.
44. The permittee, and all managers and designated employees of the establishment, who directly serve or are in the practice of selling alcoholic beverages, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program (or any other appropriate State mandated program) provided by the State of California Department of Alcoholic Beverage Control. All new designated employees shall be required to attend. The licensee shall display a certificate or plaque in a publicly accessible area of the establishment, indicating they have participated in this program. Proof of completion of the facilities' training program by employees, the licensee and all managers shall be made available to Zoning Enforcement prior to the Oktoberfest festival on annual basis.
45. The permittee shall convene two community meetings during each annual Oktoberfest event. The first meeting shall occur during the first week of the event,

and the second meeting shall occur during the fourth week of the event. Regional Planning staff shall be invited to attend these community meetings.

46. The permittee shall comply with all conditions set forth in the attached County Public Works Department letter dated August 21, 2013 to the satisfaction of said Department.
47. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated July 15, 2013 to the satisfaction of said Department.
48. The permittee shall comply with all conditions set forth in the attached County Public Health Department letter dated August 14, 2013 to the satisfaction of said Department.
49. The permittee shall comply with all conditions set forth in the attached County Sheriff's Department letter dated August 5, 2013 to the satisfaction of said Department.
50. The permittee shall comply with all conditions as provided by the Department of Alcoholic Beverage Control, to the satisfaction of said Department, so that compliance with these conditions is also to ABC's satisfaction:

Conditions general to the normal operation of an on-sale establishment with beer & wine:

- a) The premises shall be maintained as a bona fide food restaurant and shall provide a menu containing an assortment of foods normally offered in such restaurants.
- b) No "happy hour" type of reduced price alcoholic beverage promotion shall be allowed.
- c) The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The licensee shall at all times maintain records which reflect separately the gross sale of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the Department on demand.
- d) Entertainment provided shall not be audible beyond the area under the control of the licensee(s).
- e) The sale of alcoholic beverages for consumption off the premises is strictly prohibited.
- f) The licensee(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
- g) The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot. Additionally, the position of such lighting shall not disturb the normal privacy and use of any neighboring residences.

- h) No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee(s).
- i) The licensee(s) shall police the area under their control in an effort to prevent the loitering of persons about the premises.
- j) The possession of alcoholic beverages in open containers and the consumption of alcoholic beverages is prohibited on or around these premises.

Conditions specific to Oktoberfest:

- k) The licensee(s) shall provide uniformed security guard(s) from ½ hour before opening, to ½ hour after closing.
- l) No more than two (2) alcoholic beverages may be purchased by any one (1) person at any one (1) time.
- m) All persons serving alcoholic beverages cannot consume any alcoholic beverages.
- n) Cup size for beer shall not exceed 16 ounces. Cup size for wine shall not exceed 8 ounces.
- o) The petitioner shall not sell alcoholic beverages in glass or metal containers.
- p) The licensee(s) shall cease sales and service of alcoholic beverages one half-an-hour prior to the close of business.

Attachments:

Public Works Department Letter dated August 21, 2013
Fire Department's Letter dated July 15, 2013
Public Health's Department Letter dated August 14, 2013
Sheriff's Department Letter dated August 5, 2013



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

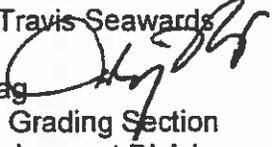
ADDRESS ALL CORRESPONDENCE TO
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

August 21, 2013

IN REPLY PLEASE
REFER TO FILE LD-2

TO: Mi Kim
Zoning Permits West Section
Department of Regional Planning

Attention Travis Seawards

FROM: Andy Narag 
Road and Grading Section
Land Development Division

SITE PLAN REVIEW

833 TORRANCE BOULEVARD, ALPINE VILLAGE
ASSESSOR'S MAP BOOK NO. 7350, PAGE 1, PARCEL NOS. 16, 18, AND 27
UNINCORPORATED COUNTY AREA OF WEST LOS ANGELES
HW 1307150001

- Public Works recommends approval of the SITE PLAN dated July 3, 2013, and "conceptually approved" on August 21, 2013, with the conditions as noted below.
- Public Works does **NOT** recommend approval of this SITE PLAN.

We reviewed the site plan dated July 3, 2013, for the project in the unincorporated County area of West Los Angeles, near the intersection of Torrance Boulevard and Vermont Avenue. This permit is for the construction of a 32,350-square-foot, temporary, tent facility for an annual Oktoberfest festival.

It should be noted that there is also a Conditional Use Permit (CUP 201300090) being processed at this same address to allow the on-site sale of beer and wine in the temporary tent facility.

This conditional letter shall supersede the letter dated August 6, 2013 (attached).

CONDITIONS

1. The project driveway located along Torrance Boulevard shall restrict left-turn egress movements via guidance provided by way-finding signage and parking attendants.

If residents of the community express concerns that the project's on-site parking is spilling over onto the neighboring residential streets, the project shall be solely responsible for the costs to establish a preferential parking district to the satisfaction of Public Works and the residents. The project shall be responsible for the costs to initially establish the parking district including signs, permits, and administration. The boundaries of the parking district shall be determined by Public Works with input from residents and the project developer.

2. This project is exempt from frontage requirements (street improvements and right-of-way dedications) per Section 22.48.280 of the Los Angeles County Code.

If you have any questions regarding Item 1, please contact Jeff Pletyak of Public Works' Traffic and Lighting Division at (626) 300-4721 or jplet@dpw.lacounty.gov.

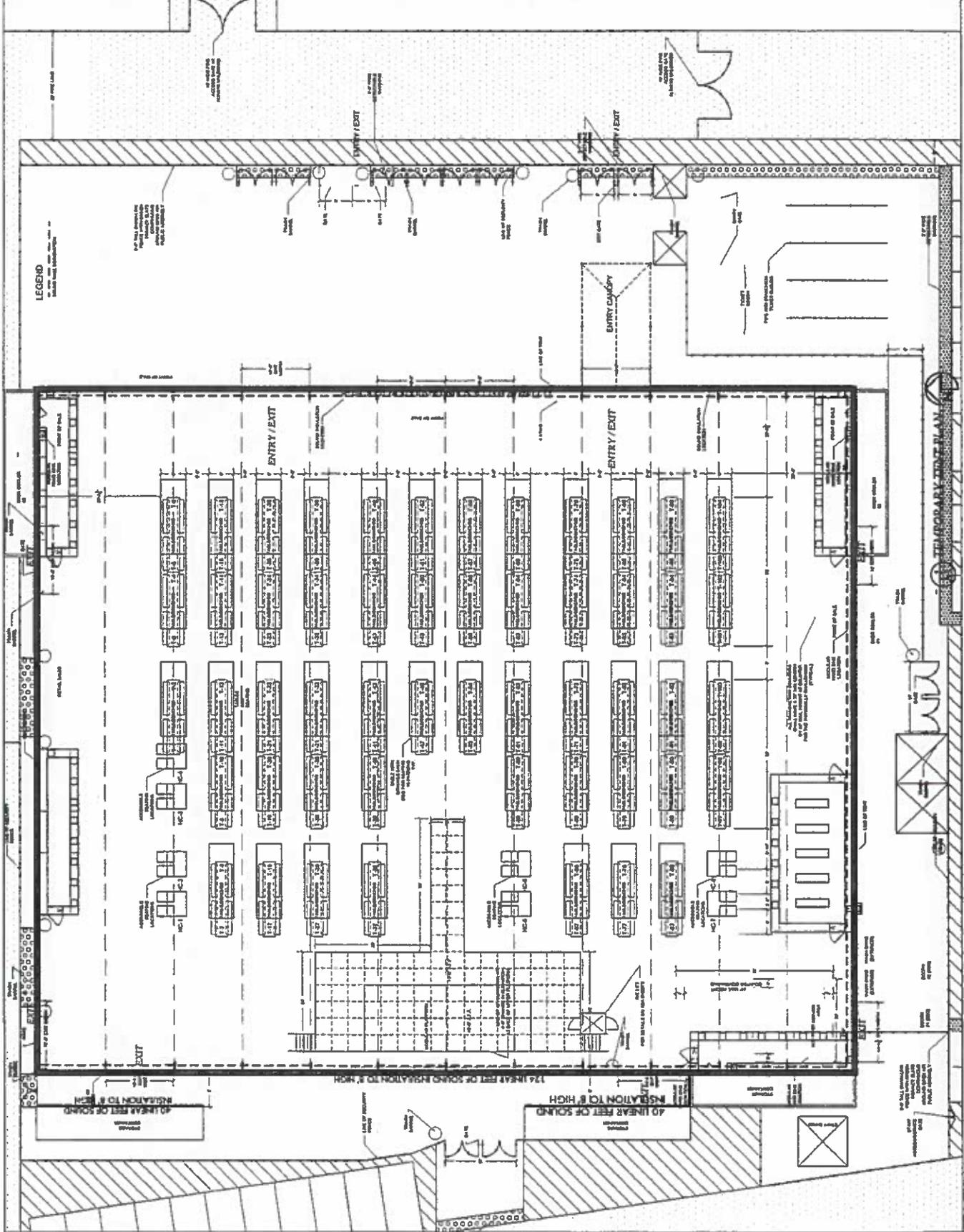
If you have any questions regarding Item 2 or need additional information, please contact Matthew Dubiel of Public Works' Land Development Division at (626) 458-4921 or mdubiel@dpw.lacounty.gov.

MD:tb

P:\dpub\SUBPCHECK\Plan Checking Files\Single Lots\833 Torrance Ave. (AV)\HW 1307150001\Site Plan dated 7-3-13.docx

Attached

cc: Traffic and Lighting (Pletyak)



40 LINEAR FEET OF SOUND ISOLATION TO 8' HIGH
 174 LINEAR FEET OF SOUND ISOLATION TO 8' HIGH
 LEGEND
 TEMPORARY TENT PLAN



COUNTY OF LOS ANGELES FIRE DEPARTMENT

Fire Prevention Division
Land Development Unit
5823 Rickenbacker Road
Commerce, California 90040-3027
Office (323) 890-4243 Fax (323) 890-9783

DATE: July 15, 2013

SITE PLAN DATE: _____

TO: Department of Regional Planning
Zoning Permits

PROJECT #: CUP R2013-01777

LOCATION: 833 W. Torrance Blvd, Carson (Alpine Village)

- The Fire Department Land Development Unit has no additional requirements for this permit.
- The required fire flow for this development is _____ gallons per minute for _____ hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 psi residual pressure. _____ Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- All fire hydrants shall be 6" X 4" X 2 1/2" and conform to AWWA C503-75 or approved equal standard. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.

Install _____ public fire hydrant(s).

Install _____ private on-site fire hydrant(s).

Provide Fire Flow Test for _____ existing public fire hydrant(s).

Water: _____

Access: _____

Conditions for Approval: Submit architectural plans for review and approval of the Temporary Tent to the Fire Department's Regional Fire Prevention Office in the City of Carson on an annual basis for the Oktoberfest festival. The office is located at 701 E. Carson St., Room B-24, Carson, 90745. The contact phone number for this office is (310) 830-9596.

Comments: The Fire Department recommends approval of this permit, the request for the on-site sale of beer and wine only.

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243.

Inspector: JuanC. Padilla



COUNTY OF LOS ANGELES
Public Health

JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

CYNTHIA A. HARDING, M.P.H.
Acting Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

JACQUELINE TAYLOR, REHS
Director of Environmental Protection Bureau

PATRICK NEJADIAN, REHS
Chief EHS, Land Use Program

MICHELLE TSIEBOS, REHS
Environmental Health Specialist IV
Land Use Program
5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5382 • FAX (626) 813-3016



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REVISED

August 14, 2013

TO: Travis Seawards
Regional Planning Assistant II
Department of Regional Planning

FROM: Michelle Tsiebos, REHS *M.T.*
Environmental Health Division
Department of Public Health

SUBJECT: CUP CONSULTATION
PROJECT NO. R2013-01777/ RCUP201300090
833 W. Torrance Blvd., West Carson

- Public Health recommends approval of this CUP.
- Public Health does NOT recommend approval of this CUP.

The Department of Public Health has reviewed the information provided for the project identified above. The CUP is for the sale of alcohol at the Oktoberfest festival in a temporary tent. The Department recommends approval of this CUP with the following conditions:

1. The applicant shall install gas detection alarm systems inside the tent as required by the Solid Waste Program. The location of the detectors shall remain the same as the previous year. The applicant shall submit a plot plan if the tent dimensions will differ from the previous year.

For questions regarding the above requirements please contact Pete Oda of the Solid Waste program at (626) 430-5540.

2. The Toxics Epidemiology Program is submitting the following comments:
 - A. The applicant shall adhere to the Los Angeles County Noise Control Ordinance, as contained in Chapter 12.08 of the Los Angeles County Code.

- B. The applicant shall hire the services of a third party environmental noise engineer or consultant in order to verify compliance with the noise ordinance during the event.
- C. If needed the Program can review the proposed noise monitoring plan prior to the event.
- D. During monitoring the Program could meet with the consultant to establish QA/QC issues regarding the placement of equipment, calibration, and curfew.

For questions regarding the above requirements please contact Evenor Masis at (213) 738-6126.

- 3. The applicant is advised to contact the South Bay DSE office at (310) 519-6050 prior to applying for a Public Health temporary event permit.

For any other questions please contact me at (626) 430-5382.



Leroy D. Taca, Sheriff

County of Los Angeles
Sheriff's Department Headquarters

4700 Ramona Boulevard
Monterey Park, California 91754-2169



(310) 830-1123

August 5, 2013

Mr. Travis Seawards
Los Angeles County Department of Regional Planning
320 West Temple Street, 13th Floor
Los Angeles, California 90012

Dear Mr. Seawards:

**CONDITIONAL USE PERMIT 201300090
PROJECT NUMBER R2013-01777-(2)
833 WEST TORRANCE BOULEVARD, TORRANCE**

I have reviewed the application for the on-site sale of beer and wine in a temporary tent facility for the annual Oktoberfest event, which is managed by Alpine Village. An address check of the property reveals 102 calls for service since July, 2012. This number includes four assaults with deadly weapons and one murder. The remainder includes a large number of disturbance and alcohol-related calls. The majority of calls for service (52) were during the three-week Oktoberfest event. The check did not include the surrounding neighborhoods which are impacted by parking and patrons of Alpine Village.

In a memo dated July 25, 2012, the management of Alpine Village agreed to notify Carson Station of any upcoming events or concerts. They have not contacted us once, although they have hosted many events since that time. These events tax Carson Station's patrol resources, so having prior knowledge of such events would greatly assist us in being better prepared. This is especially true during Oktoberfest.

Upon consideration of this proposed permit, we would require the management of Alpine Village to hold to the agreement made in our June 28, 2012, meeting. Additionally, reduced hours of operation and a reduced venue capacity could mitigate some of the issues we have dealt with in the past. Alpine Village shall provide the names of acts and entertainers utilizing the facility, and the Sheriff's Department has the right to require deputies to be hired on an overtime basis to provide security at the

A Tradition of Service Since 1850

RECEIVED
AUG - 7 2013
BY: _____

Travis Seawards

-2-

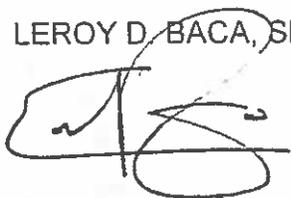
August 5, 2013

event. Alpine Village was to install a recorded video system with 24-hour monitoring, if not in place already. This would serve as a deterrent to criminal and nuisance activity. It would also aid in the investigation of any crimes committed on site.

Thank you for the opportunity to provide input, and please do not hesitate to contact me or my staff at (310) 847-8379 if you need any additional information.

Sincerely,

LERROY D. BACA, SHERIFF

A handwritten signature in black ink, appearing to read "E. Rivero", written over a horizontal line.

Eddie Rivero, Captain
Commander, Carson Station

***Site Photograph
for
Alpine Village Center
833 W. Torrance Blvd.***

Prepared For:

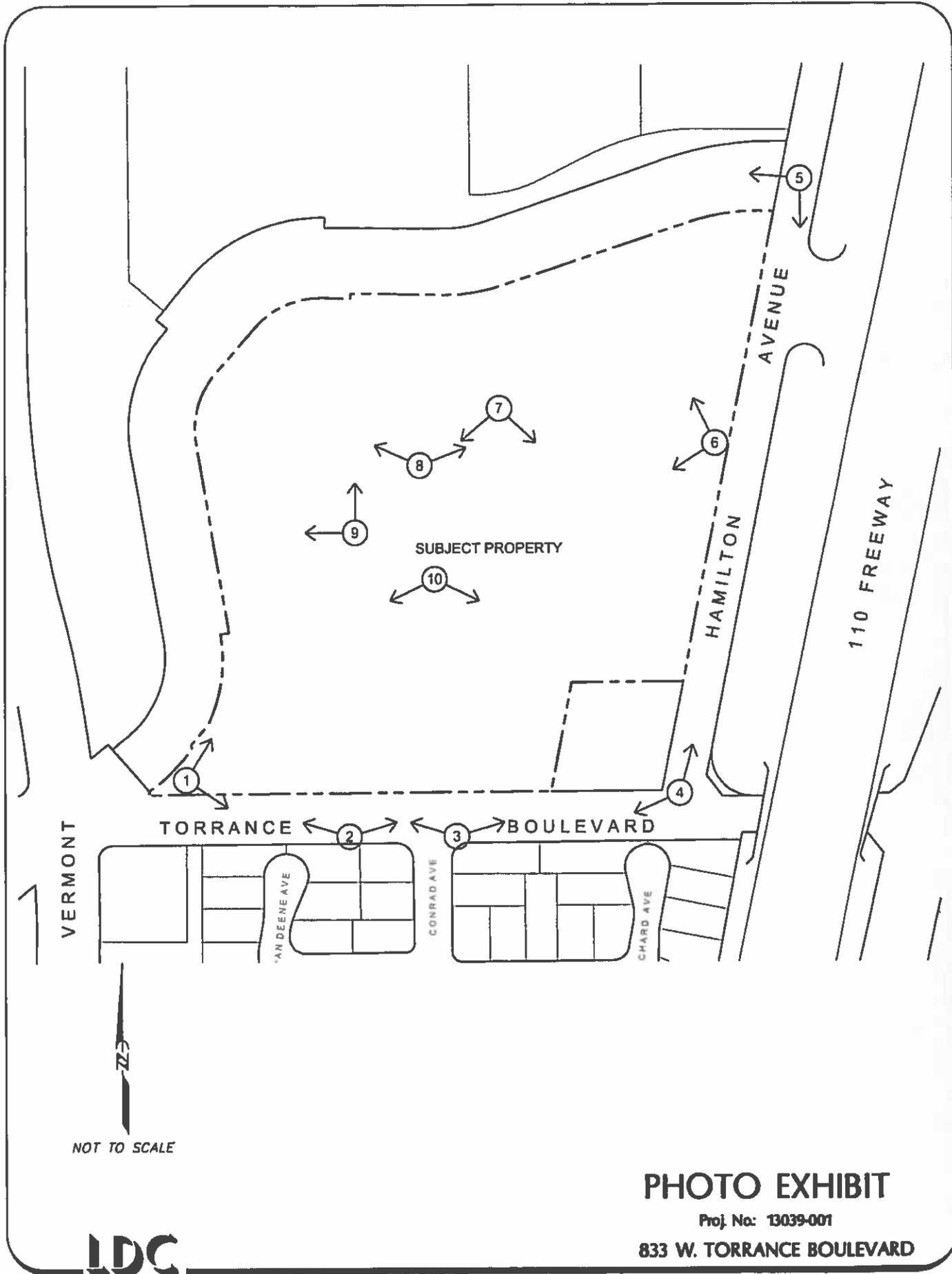
Alpine Village Center
833 W. Torrance Blvd.
Torrance, CA 90502

May 2014



LAND DESIGN CONSULTANTS, INC.

Land Planning, Civil Engineering, Surveying & Environmental Services



VERMONT

TORRANCE

BOULEVARD

HAMILTON AVENUE

110 FREEWAY

SUBJECT PROPERTY

NOT TO SCALE

LDC

PHOTO EXHIBIT

Proj. No: 13039-001

833 W. TORRANCE BOULEVARD

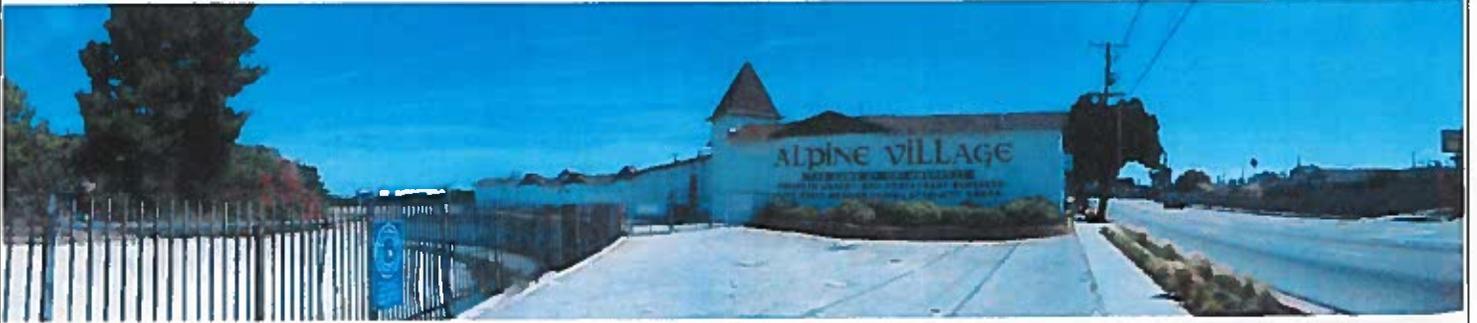


PHOTO #1

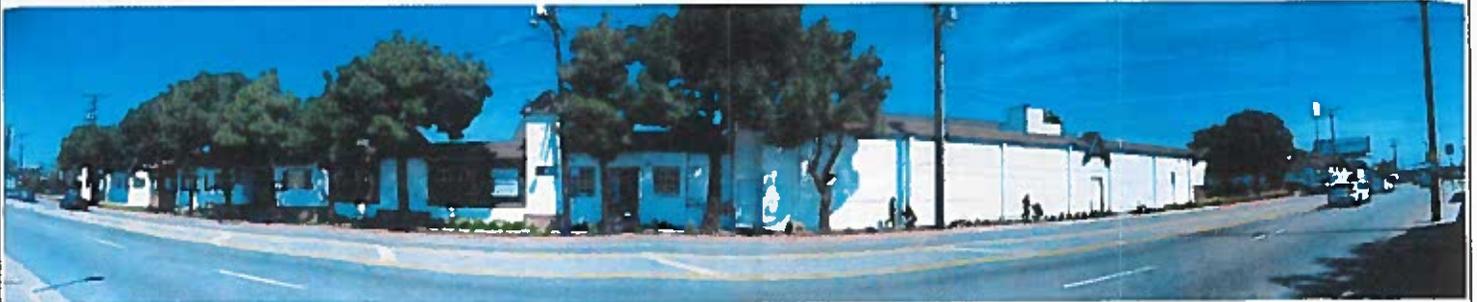


PHOTO #2

PHOTO EXHIBIT

Proj. No: 13039-001

633 W. TORRANCE BOULEVARD

LDC



PHOTO #3



PHOTO #4

LDC

PHOTO EXHIBIT
Proj No. 13039-001
833 W. TORRANCE BOULEVARD



PHOTO #5



PHOTO #6

LDC

PHOTO EXHIBIT
Proj No: 13039-001
833 W. TORRANCE BOULEVARD



PHOTO #7



PHOTO #8

LDC

PHOTO EXHIBIT
Proj. No. 13039-001
833 W. TORRANCE BOULEVARD

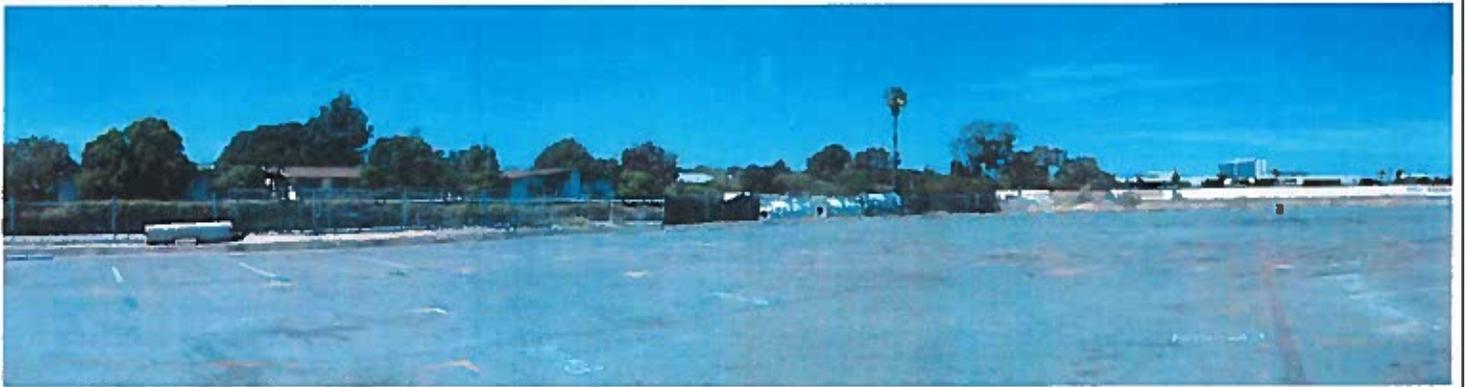


PHOTO #9



PHOTO #10

PHOTO EXHIBIT

Proj. No: 13029-001

833 W. TORRANCE BOULEVARD

LDC